



MEETING AGENDA

The City of Beaufort

PLANNING COMMISSION

1911 Boundary Street, Beaufort, SC 29902

Monday, March 17, 2025, 5:00 p.m.

City Hall, Council Chambers, 2nd Floor – 1911 Boundary Street, Beaufort, SC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86476306728?pwd=arT8fembnopzRGLhS1PKUCMzc9AD5s.1>

Password: 744001 Meeting ID: 864 7630 6728 Call in Phone #: 1+929 205 6099

STATEMENT OF MEDIA NOTIFICATION: "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place and agenda of this meeting."

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Review of Commission Meeting Minutes:**

A. **February 10, 2025 Regular Meeting Minutes**

B. **March 3, 2025 Worksession Minutes**

IV. **Questions Relating to Military Operations**

V. **New Business:**

A. **Annexation.** The Applicant, Graham B. Trask, is requesting annexation and rezoning of approximately 2.8 acres located at 3492 Trask Parkway, Beaufort, South Carolina, from Industrial S-1 (Beaufort County) to T-1 Natural Preserve District (City Zoning). The property is further identified as R120 025 000 012A 0000.

B. **1026 Ribaut Road.** The Applicant, Larry Paragano, Nova Management, LLC, is requesting preliminary approval for a new 72 unit townhome and multi-family development located at 1026 Ribaut Road, identified as R120 005 000 0236 0000, R120 005 000 0266 0000, and R120 005 000 0278 0000. The properties are zoned T5-Urban Corridor District (T5-UC).

VI. Old Business:

- A. Beaufort Development Code Changes:** Amendments to the Landscaping, Parking, and Lighting Requirements of Section 5 of the Beaufort Development Code.

VII. Discussion:

VIII. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011.

**PLANNING COMMISSION
REGULAR MEETING
MINUTES OF 2/10/25**



Planning Commission

Meeting Minutes – February 10, 2025

CALL TO ORDER

3:35

A meeting of the Planning Commission was called to order by Chairman, Benjie Morillo, and was held in-person on February 10, 2025, at 5:00 PM.

ATTENDEES

Members in attendance: Benjie Morillo, Chairman, Mike Tomy, Vice-Chairman, Bill Bardenwerper, Clinton Hallman, Kim McFann, Bill Suter, and Paul Trask.

Staff in attendance: Curt Freese, Community Development Director, Christopher Klement, Community Development Planner III, and Nick Navia, Community Development Planner I.

ELECTION OF OFFICERS

5:17

Motion: Mr. Bardenwerper made a motion to nominate Mike Tomy to be Chairperson. Mr. Trask seconded the nomination. The motion passed unanimously.

Motion: Mr. Trask made a motion to nominate Bill Bardenwerper as Vice-Chair. Mr. Suter seconded the motion. The motion passed unanimously.

Motion: Mr. Trask made a motion to nominate Kim McFann as Secretary. Mr. Suter seconded the motion. The motion passed unanimously.

WATERFRONT PARK COMMITTEE

9:27

Motion: Mr. Bardenwerper made a motion to nominate Bill Suter to serve on the Waterfront Park Committee. Mr. Trask seconded the motion. The motion passed unanimously.

MINUTES

10:22

December 3, 2024 Worksession Minutes

Motion: Mr. Morillo made a motion to approve the minutes of the December 3, 2024 worksession. Mr. Hallman seconded the motion. The motion passed unanimously.

December 16, 2024 Minutes

Motion: Mr. Hallman made a motion to approve the minutes of the December 16, 2025 regular meeting. Mr. Morillo seconded the motion. The motion passed unanimously.

All Planning Commission meeting minutes are recorded and can be found on the City's website at <http://www.cityofbeaufort.org/AgendaCenter>.

QUESTIONS RELATING TO MILITARY OPERATIONS

11:27

None.

NEW BUSINESS

12:17

- A. Rezoning.** The applicant (the City of Beaufort) is requested a rezoning of the Christensen Park and Pigeon Point Boat Landing located at 2440 Pigeon Point Road, a single parcel located at terminus of Pigeon Point Road and Wilson Street, bordered on the South by Albert Street, Beaufort, SC, identified as R120 002 000 0045 0000 from T3-Neighborhood District (T3-S) to T1-National Preserve District (T-1).

Christopher Klement presented the application and staff report.

Public Comment:

Paul Sommerville, who resides at 1509 Pigeon Point Road, gave some background information. He said it makes sense to change the zoning to T1-National Preserve District.

Kay Merrill, who resides at 813 Audusta Place, is the Chairman of the Pigeon Point Neighborhood and said Beaufort has a long history of celebrating its founders and its important people and even its visitors. She referred to the upcoming events regarding the visit of the Marquis de Lafayette. The Christensen Family, who Mr. Sommerville is part of, has a long history in Beaufort. The most recent event at the park was Arbor Day where the community planted a native American Holly tree with Public Works. Prior to Arbor Day the community had a 102nd birthday party for their neighbor, Maila Bianca. The community asks that the tree canopy is not destroyed because it gives a lovely ambiance that has become so important to Pigeon Point. The park area drastically and believes it should be left the way it is and specifically objected to expanding and any parking into the residential areas around Christensen Park.

Public Comment Closed.

32:58

Commissioner . Trask commented that he understands that the residents want the park to be down zoned in perpetuity. He addressed the comment that Graham Carr raised. The city has a landing that they are preparing to refurbish after a number of years of damage and neglect. Mr. Trask asked if people sometimes park along the edge of the park after they have launched their boat and requested public input as to whether that is objectional to the neighborhood.

Public Comment

Mr. Carr responded and said he **lives literally on the park and looks out onto the park.**

He said there is three or four people that do come up and back up on the grass, which is fine, but it would change the nature of the entire neighborhood if marked parking was put in or if gravel was put down on the ground. This would change the aspect of that area.

Public Comment closed.

Public Comment

Robin Koppernaus, who resides at 2423 Pigeon Point Road said it's always been a very quiet area and there are not a lot cars that go down here. She is hoping when the work is done on the landing it won't turn into a single lane ramp because it is deep in the heart of a residential neighborhood. Also, the boat landing has many parking spaces already.

Public Comment closed.

Motion: Mr. Morillo made a motion to approve the rezoning of Christensen Park and Pigeon Point Boat Landing as T1-National Preserve District (T-1) based on staff findings in the staff report. Mr. Hallman seconded the motion. The motion passed with a vote of 6:1 with Mr. Trask being opposed.

B. Beaufort Development Code Changes. Amendments to the Landscaping, Parking, and Lighting Requirements of Section 5 of the Beaufort Development Code.

Mr. Freese said this chapter was presented to the Planning Commission (PC) at their last work session on February 4. The City's contract arborist was at the 2/4 worksession and was able to provide explanations of the work already done on the proposed draft and answer questions.

Motion: Mr. Trask made a motion to table further discussion of Section 5 until the work session that is scheduled for March 3. Ms. McFann seconded the motion. The motion passed unanimously.

OLD BUSINESS

52:04

Beaufort Development Code Changes: Amendments to the open space, land Development and subdivision requirements of Section 7 and Section 9 of the Beaufort Development Code.

Public Comment:

None.

Public Comment Closed.

PC asked what the next steps are once they give their recommendations. Mr. Freese said it will go to the City Attorney for a legal review and then it will go to City Council for 2 hearings.

Motion: Mr. Bardenwerper made a motion to recommend that Council **approve the final PC draft of chapter 7** based on the authority that is set forth in South Carolina statutes and the City Code. Mr. Trask Seconded. The motion. The motion passed unanimously.

Mr. Suter asked that the motion could be amended to specify that the draft the PC recommends approval of is *Chapter 7 clean copy as of January 13*.

Motion: Mr. Bardenwerper amended his motion to include that this is the clean copy of chapter 7 as of January 13, 2025. Mr. Trask Seconded the motion. The motion passed unanimously.

Regarding the PC draft of Chapter 9, Mr. Bardenwerper referred to Page 18, Section 9.8.2.a.5.c.i and Section 9.8.2.5.c.ii recommending removing the words *appropriate design review body* and just say the Planning Commission.

Motion: Mr. Bardenwerper made a motion to **approve the final draft of chapter 9 version February 4, 2025** with that change based on the authority that the PC is given by the State Legislature and by our Code. Ms. McFann Seconded. The motion. The motion passed unanimously.

Chairman Tomy asked staff to provide the PC with a synopsis of the progress of code revision work for the end of the month meeting for the City Strategic Planning Meeting.

Ms. McFann talked about the issue of annexation that is not addressed in the current Code and not addressed in chapter 7 and 9. There is no Code guidance, but there is a statutory guidance for annexation. She noted annexation petitions regularly come before the PC and stated that logically such a section should be part of Chapter 7 or 9. The other Commissioners agreed that such a section is needed.

Motion: Ms. McFann made a motion that staff draft a proposed section of code regarding annexation standards for the City for consideration by the PC.

Mr. Freese said a motion is not needed but that Staff would draft such a section for PC review. .

DISCUSSION

1:17:26

A. Planning Commission Input for the Strategic Plan

Mr. Tomy referred to the Comprehensive Plan. He would like to have the Comprehensive Plan more in agreement with the city's Strategic Plan because there are elements that have not been incorporated yet that should be.

Ms. McFann asked staff if this session is going to be about how the city is doing on the current strategic plan or is this a session designed to create the next strategic plan for the coming years. Mr. Freese is not sure, but there is a 2 hour session on the Development Code and our current progress, which is very important. Once the code changes are done, we probably will start updating the Comprehensive Plan, next year.

Mr. Morillo asked about the Civic Masterplan being outdated. Mr. Freese said this needs to be discussed at the Strategic Plan meeting. The Civic Masterplan was approved in 2014.

Mr. Tomy will be attending the entire time of the Strategic Plan meeting and would like to see participation from the other commissioners. The other commissioners stated they did plan to attend as well.

ADJOURNMENT

1:36:35

Motion: Mr. Hallman made a motion for adjournment at 6:36 pm seconded by Mr. Suter. The motion passed unanimously.

DRAFT

**PLANNING COMMISSION
WORK SESSION
MINUTES OF 3/03/25**



Planning Commission

Work Session Minutes – March 3, 2025

CALL TO ORDER

A work session of the Planning Commission was called to order by Chairman, Mike Tomy and was held in-person in the Planning Conference Room on March 3, 2025, at 1:00 PM. An audio recording of the meeting was commenced.

ATTENDEES

Members in attendance: Chairman, Mike Tomy, Vice-Chairman Bill Bardenwerper, Secretary Kim McFann, Clinton Hallman, Benie Morillo, Bill Suter, and Paul Trask.

Staff in attendance: Curt Freese, Community Development Department Director, and Christopher Klement City Planner III, Nicolas Navia City Planner I and Julie Bachety, Administrative Assistant II.

Michael Murphy, Contract Arborist for the City. Jessie White was present and submitted written and verbal comment on behalf of the Coastal Conservation League, Barb Farrior and Rob Cahill were also present. Diane Farrelly, 2145 Oakhaven Street was not present but submitted written comments via staff at the time of the meeting.

The Commission discussed scheduling issues and the status of previously completed recommended code revisions.

Revisions to Chapter 5 of the code were discussed and the PC worked through page 8 of the City's 40 page draft of Chapter 5 with track changes (prior to 5.3) and it was determined that some of the revisions suggested in Jessie White's draft (clean copy) should be included in the new chapter 5 draft to be prepared by Mr. Klement.

Mr. Bardenwerper agreed to work on a redraft of the City draft proposed language re clear cutting penalties.

It was agreed that another extended work session would be held on Monday March 24, 2025 commencing at 1 pm to continue and hopefully complete work on Chapter 5.

The work session adjourned at 4:30 pm.



STAFF REPORT: Annexation/Rezoning

(Proposed Albergotti Creek Park)

DATE: 3/17/25

GENERAL INFORMATION		
Applicant:	Graham B. Trask / Beautiful Beaufort Open Land Trust Inc.	
Address/Parcel Number:	3492 Trask Parkway (US Hwy. 21), R100 025 000 012A 0000	
Applicant's Request:	To annex into the City of Beaufort for purpose of a (passive) park usage.	
Current Zoning:	S1-Industrial (County zoning)	
CURRENT ZONING DISTRICT INFORMATION		
	<u>S1-Industrial</u>	
Lot Width at Setback:	100 feet	
Min. Lot Size	20,000 sq.ft. (for industrial); 1 ac. (for other uses)	
Front Setback	40-foot min.	
Side Setback	20-foot min.	
Rear Setback	20-foot min.	
Building Height:	4 stories max.	
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
<u>Adjacent Zoning</u>	<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u>
North: RMX (City of BFT)	Warehouse/shed	15 ft.
South: Albergotti Creek /S1-Industrial	Albergotti Creek / Laundry facility	30 ft. Critical Area Buffer to Albergotti Creek
East: T2RN-Rural Neighborhood (County)	Mobile Home Community	5 ft.
West: MR-Military Reservation (City)	MCAS Beaufort (across US Hwy. 21)	N/A

Background: The 2.8-acre sized parcel in question (R100 025 000 012A 0000) is currently undeveloped with the only exception of a SCDOT-licensed billboard sign placed along frontage of Trask Pkwy (US 21). The request for annexation into the City of Beaufort by the property owner(s) is for it to be preserved and/or developed as a passive park site in. The property ownership will be transferred to the “Beautiful Beaufort Open Land Trust Inc.” An existing billboard is on site, and will become a legal non-conforming sign should the annexation be approved.

Compatibility with Adjacent Zoning: The site is adjacent to both City and County properties zoned RMX (City), T2RN (County) and S1-Industrial (County). It also is located across from the MCAS Beaufort.

Compliance with City Plans – 2021 Beaufort Comprehensive Plan: The Future Land Use section of the Comprehensive Plan identifies the “Parks/Open Space” category as an area that “is intended to preserve

areas that contain sensitive habitats, active or passive open spaces and urban parks, cemeteries, and limited agricultural uses.” Despite its juxtaposition to commercial/light industrial uses nearby, this parcel of land, situated right on the edge of Salt / Albergotti Creek, is a prime natural resource, as outlined in the Natural Resources section of the Comprehensive Plan. As such, “The character, quality of life, economy, and sense of place of Beaufort is linked with its waters and natural environment.” [...] “Together with history and culture, the natural environment of Beaufort drives the local tourism industry” (see Natural Resources section – N1).

Moreover, its juxtaposition to the Spanish Moss Trail, defines this specific parcel of land as a potentially valuable access point to such.

2014 Civic Master Plan Compliance: Especially in regard to its position right next to the Spanish Moss Trail (SMT), this prospective park site offers great opportunity to fulfil the Civic Master Plan’s objective to help “connect homes, workplaces, parks, churches and schools, providing noteworthy opportunities for recreational users and daily commuters moving throughout Beaufort, Port Royal and Beaufort County” (refer to Ch. 5.2 - page 89). Furthermore, in promoting access to the SMT, this potential park site also has the “potential to strengthen the tourism industry by opening new routes to historic Beaufort and expanding tourism opportunities beyond the downtown core” (refer to Ch. 5.3 - page 94).

2010 Beaufort Open Space Master Plan Compliance: The parcel of land to be annexed into the City as a (passive) park site, will also meet all of the following Open Space Plan objectives:

- To preserve open space within the City of Beaufort from the increasing pressure of rapid development.
- To manage growth and preserve the rich natural heritage of the City.
- To protect and expand view corridors.
- To protect critical habitat and maintain or increase existing bio-diversity with special emphasis on rare, threatened and endangered species.
- To minimize degradation to water quality due to non-point source pollution through the protection of important riparian and wetland buffers.
- To increase public access to the water and to provide greater recreational opportunities for all.
- To provide options for the use of alternative, non-motorized transportation such as walking and bicycling.

ZONING DISTRICT USES/DEVELOPMENT STANDARDS:

	T-1	S-1 Industrial (County
Height	N/A	4 stories max.
Frontage Requirement	N/A	None.
Uses	Only open space, parks, and related and accessory uses	Industrial and commercial uses
Design	No buildings are allowed, except for park related uses.	

FUTURE LAND USE PLAN

The Future Land Use Map envisions the area as Urban Center. The Natural Preserve (T-1) District is an allowed land use within the General Urban District as per the Comprehensive Plan.

	Separated Uses ← Intensity of Use → Separated Uses					
Land Use	Industrial	Urban Center	General Urban	Neighborhood	Parks & Conservation	order of precedence ↓
Zoning Classification	LI	RMX	T5-DC	T4-HN	T1	
	RMX	T5-UC	IC	T3-N		
	T5-UC	IC	T4-N	T3-S		
		LI	T1			

REZONING REVIEW CRITERIA

Required Findings: The PC is to recommend a rezoning to the City Council utilizing the factors found in Section 9.16.3 C found below. Staff analysis on the project based on these findings is found below.

(a check mark indicates Staff support; an x indicates lack of Staff support on each item).

<u>9.16.3 C Finding of Fact</u>	<u>Rationale Present (yes/no)</u>	<u>Staff Analysis of Rationale</u>
a. Consistency (or lack thereof) with the Comprehensive Plan and Civic Master Plan.	Yes	✓ The T-1 District is a recommended district in the General Urban land use per the Comprehensive Plan
b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;	Yes	✓ The T-1 district is consistent and compatible with the open space nature of the existing property and is best suited to preserve the view corridor and property for current and future citizens.
c. Suitability of the property that would be affected by the amendment;	Yes	✓ The property is preserved as open space/view shed. The T-1 zoning perfectly corresponds with the intention and current natural preserve use of the property. ✓ The property is on the Spanish Moss trail, and its location makes it highly suitable for park/open space zoning
d. Compatibility with the natural features of — and any archaeological or cultural resources on — the property	Yes	✓ The property is preserved as a viewshed. The T-1 district would preserve the natural features of the property in perpetuity.
e. Marketability of the property that would be affected by the amendment; and	Yes	✓ The location on the Spanish Moss Trail makes this an excellent location for trail related uses.

		✓ The T-1 District would ensure that no development could occur on the site in the future.
f. The availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.	Yes	✓ T-1 does not allow development.

FINDINGS AND RECOMMENDATIONS

Staff Recommendation: Staff recommends approval of annexation request under the premise of a T1-Natural Preserve district (T1) zoning designation.

annexation zoning



3/10/2025, 9:08:54 AM

Road Classifications

- | | | | |
|--|------------------|---|---|
|  | STATE, PAVED |  | HISTORIC DISTRICT-Conservation Neighborhood |
|  | COUNTY, PAVED |  | Bladen Street Redevelopment District |
|  | PRIVATE, UNPAVED |  | Boundary Street Redevelopment District |
|  | MILITARY / PAVED |  | Retail Overlay (Church & Green Street) |
|  | LiveParcels |  | Retail Overlay |

Zoning Districts

-  LEGACY PUD (LPUD)
 T1
 T3-S
 T3-N
 T4-HN

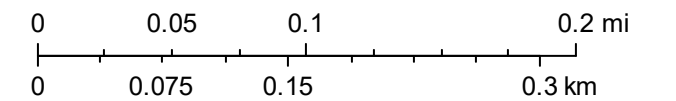
-  T4-N
-  T4-NA
-  T5-DC
-  T5-UC
-  T5-UC / RMX
-  RMX

- | | |
|----|----|
| IC | IC |
| MH | MH |
| LI | LI |
| MR | MR |

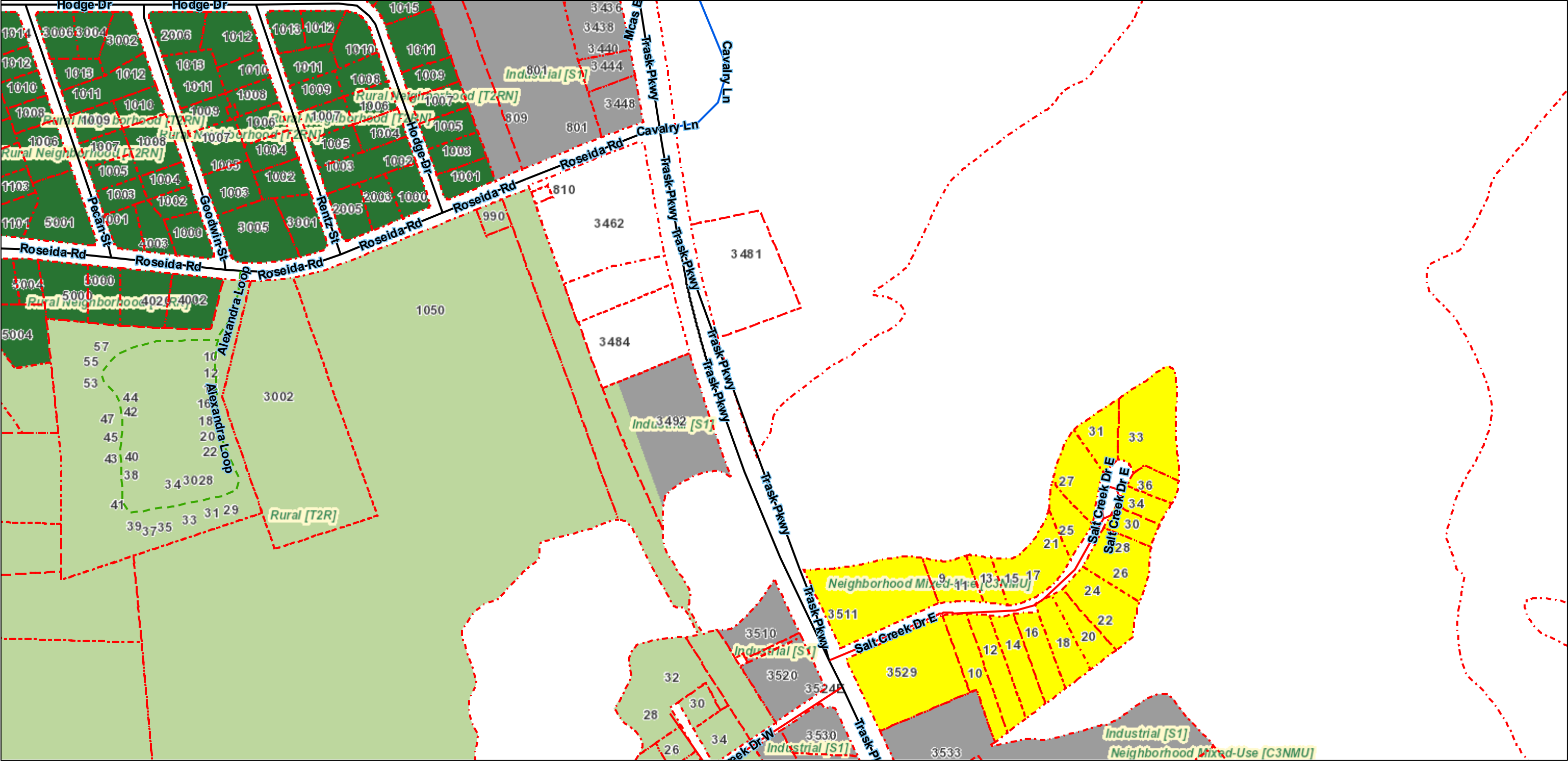
-   IC
  MH
  LI
  MR
   Red: Band_1
   Green: Band_2

- Blue: Band_3

1:4,514



county zoning

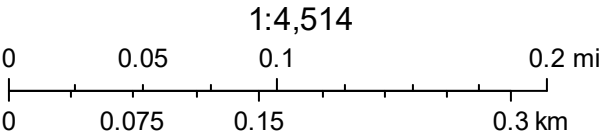


3/10/2025, 9:10:44 AM

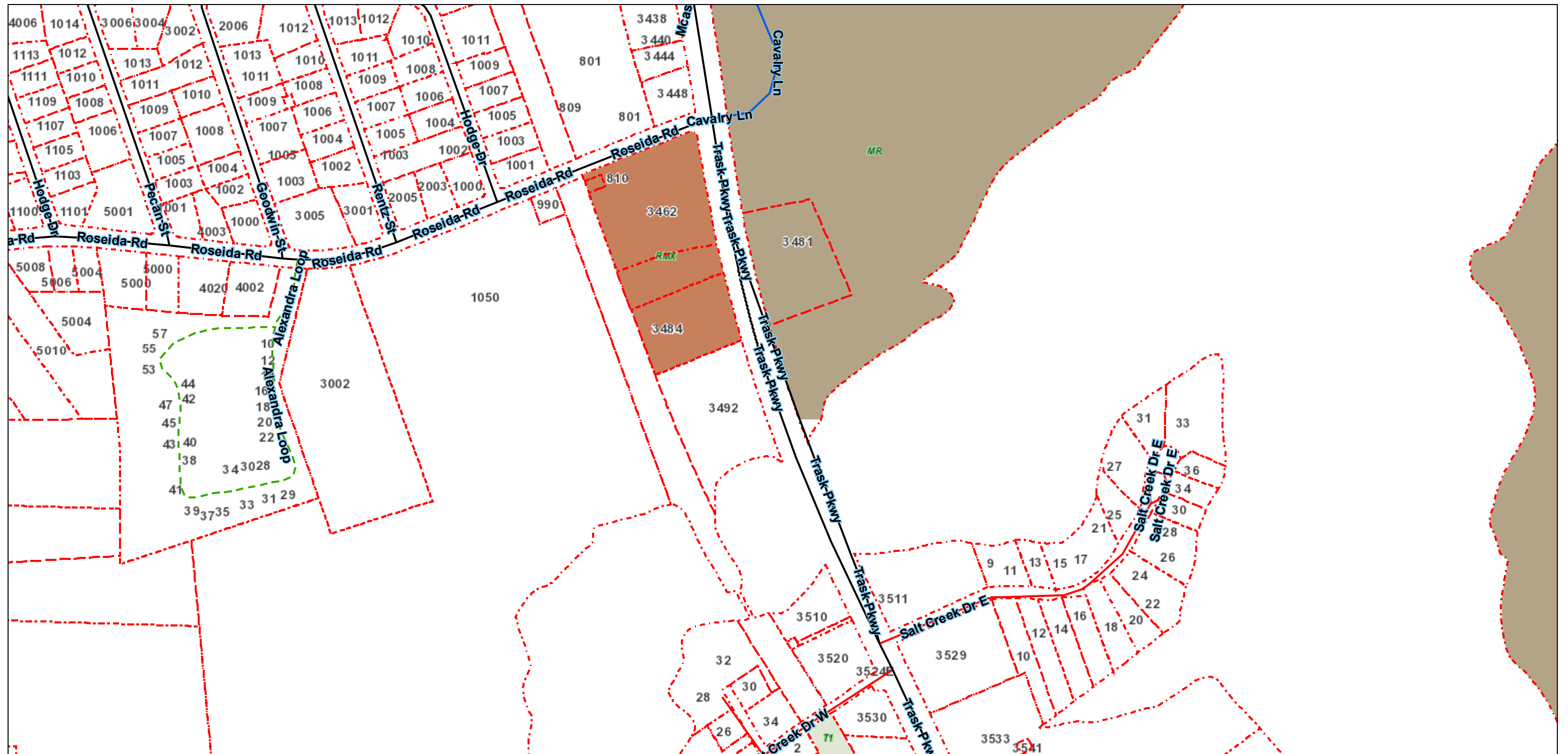
Road Classifications

- STATE, PAVED
- COUNTY, PAVED
- PRIVATE, UNPAVED
- MILITARY / PAVED
- LiveParcels

- Heritage Corridor Overlay
- Commercial Fishing Village Overlay
- St Helena Cultural Overlay



annexation zoning



3/10/2025, 9:07:26 AM

Road Classifications

— STATE, PAVED

— COUNTY, PAVED

— — — PRIVATE, UNPAVED

— MILITARY / PAVED



- - HISTORIC DISTRICT-Preservation Heighborhood

— HISTORIC DISTRICT-Conservation Neighborhood

Bladen Street Redevelopment District

Boundary Street Redevelopment District

- - Retail Overlay (Church & Green Street)

- - Retail Overlay

Zoning Districts

LEGACY PUD (LPUD)

•

■ T3-S

■ T3-N

■ T4-HN

■ T4-N

 T4-NA

□

T

■ TSC

■ RMX

IC



MD

— **IVIR**

1:4,514

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km





STAFF REPORT: Development Design Review

Preliminary Plat

DATE: March 17, 2025

GENERAL INFORMATION		
Applicant:	Larry Paragano, Nova Management LLC.	
Address/Parcel Number:	1026 Ribaut Rd/ R120 005 000 0236 0000; R120 005 000 0266 0000; R120 005 000 0278 0000	
Applicant's Request:	To obtain Preliminary plat approval for a new 72 unit townhome development.	
ZONING DISTRICT INFORMATION		
	T5-UC	
Lot Width at Setback:	N/A	
Max Lot Coverage:	100%	
Min. Frontage Build Out	60% minimum	
Front Setback	0'-15' max	
Side Setback	0 ft; 0-15 ft corner/alley	
Rear Setback	5 ft	
Building Height:	2 stories min; 5 stories max	
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
Adjacent Zoning	Adjacent Land Uses	Adjacent Buffer Required
North: T4-N/IC	Medical Office Building/Homes	N/A
South: T-5 UC/T-3 S	Medical Offices/Single Family Homes	N/A
East: T5-UC	Hospital	N/A
West: T-4 N/T-3 S	Single Family Homes	N/A

Background: The applicant is seeking preliminary plat approval for a 72 unit development, with four duplex lots, and the remaining 64 units made up of fee simple townhouses. The project was first applied for in 2019, and major changes to sketch have occurred in this six year timeframe. The project was submitted for the PC in January and February and withdrawn to make changes recommended by Staff as described on pages 5-6 of this report.

Sketch Plan:

The development received Sketch Plan approval by the Metropolitan Planning Commission (MPC) December 20, 2021. The Sketch Plan was approved with the following conditions:

-
1. Future design review submittals shall incorporate any traffic mitigation measures identified in the forthcoming Traffic Impact Analysis;
 2. Future design review submittals shall include street sections for Oak Haven Street and Myrtle Street that meet the requirements of Beaufort Code Appendix C: Street Infrastructure Plans; and
 3. Future design review submittals shall meet the two-story building height requirements of Section 2.6.3 for all buildings within 250 feet of the Significant Intersection of Allison Road and Ribaut Road.
 4. The project and preliminary plat comes back to the MPC for design review approval.
 5. Recommendation to consider not extending Oak Haven Street through the subject property.

The formerly approved sketch plan retains much of the same street layout with 39 townhouses, 57,000 sq. ft. of medical office/retail space with over 250 parking spaces to serve the commercial areas. Please see a copy of the approved Sketch Plan in the file. The new revised plan removes the office retail space, the office space to the Northwest, the commercial parking lots, and instead substitutes townhouses and four small multi-family buildings in these locations.

Access/TIA: The site has two access points: 1) Allison Road: a northern access point with the construction of Myrtle Road which provides a north/south road that accesses Allison Road and Oak Haven. 2) Extension of Oak Haven to the new Myrtle Road. This access does not extend to Ribaut Road. Staff and the developer discussed removing the Ribaut Road access point, due to concerns with the spacing on a major arterial road, site distance on the entrance, and thru traffic for residents in the adjoining subdivision. The majority of the townhouses are served by rear alleyways with the exception of Lots 65-67.

A TIA was prepared when the project was approved with the addition 57,000 sq. ft. of office/retail space in 2022. Staff require an update of this plan, and it was provided in October 2024, reviewed by SCDOT, the County Engineering Department and City Staff. The conclusions are below:

- 1) The site is proposed to install a full access driveway on Ribaut Road at the location of an existing driveway and close two driveway accesses to the south. (this drive has been removed)
- 2) The access plan will widen and improve Myrtle Road at its intersection with Allison Road and provide an extension of Oak Haven Road to connect to Battery Creek Road. The development would also eliminate an existing driveway on Allison Road, located 100 ft east of the signal at Ribaut Road, that currently serves a parking lot.

3) With construction of the project, all of the studied intersections should continue to function adequately. The site access can function adequately with one ingress and one egress lane.

4) Based on the projected volumes, auxiliary turn lanes are not warranted on Allison Road, Ribaut Road, or Battery Creek Road. With the existing alternative routes in the vicinity, the extension of Oak Haven Road to Ribaut Road is not anticipated to induce significant volumes of cut-through traffic.

The SCDOT approval included the following:

- ✓ The Ribaut/Allison Mixed Use TIA is accepted with no external mitigation required beyond the consolidation of accesses on Ribaut and Allison utilized an existing curb cut on Boundary Street/US 21. The existing curb cut would allow both an in and out. No improvements, or turning restrictions are proposed

Compatibility with Adjacent Zoning:

The site in question is adjacent to medical office uses to the North and South zoned T-5 UC and IC, the hospital and emergency room to the East zoned IC, and a single family neighborhood to the West zoned T-3S. The T-5 UC district follows the North South properties fronting Ribaut Road, except for the Hospital's properties, which are zoned Institutional Campus.

Parking:

Staff notes, the 250 plus parking spaces which were to serve the medical offices, retail, and overflow for the hospital are entirely removed from this request. The majority of parking will be handled within each townhouse lot. However, early on when this project came back to the TRC, Staff asked the applicant to add and then delineate where guest parking would be, and to distribute such parking throughout the site. The Applicant has delineated the guest spaces with red circles in the conceptual plan included in the packet.

Trees/Lot Frontage

Significant discussion in past Sketch Plan submittals was had regarding the significant tree canopy fronting Ribaut Road. The code, Section 2.4.1, requires a 60% build out or building frontage on any primary street (such as Ribaut Road). To address this concern in previous Sketch Plan submittals, a park/open space with trail was proposed for the Southeastern portion of the lot which fronts Ribaut Road. Staff has accepted this proposal for the new preliminary plat/sketch plan. Leaving this area as a

separate open space parcel saves many specimen trees, provides a significant buffer to the development and for the public, and also resolves the frontage requirement of 2.4.1.

Staff notes, the Applicant's tree mitigation and retention plan. A significant number of Landmark & Specimen trees (esp. Live Oaks) will be preserved and incorporated within the proposed Park & Open Space area as well as part of the streetscaping. Specifically, the tree survey shows a removal of 245" of caliber of Landmark and removal of 32" in caliber (DBH) of Specimen trees. However, a total of 2,421" in caliber of mostly Live Oak trees (both Landmark & Specimen) are being preserved.

TRC/Staff Design Review

Numerous TRC meetings have been held since 2023 with revisions to the plans submitted. Two formal meetings occurred in the Spring and Summer, with the August 12, 2024 TRC meeting attended by residents. Since the August TRC meeting, three revisions have been made and reviewed by the TRC, which includes City Planning Staff, the County Engineering Department, BJWSA, the City Stormwater Engineer, Fire Marshall, Building Official, and Jeremy Tate the City Architect. The final comments after the December submittal are found below:

December Comments (all have been addressed in current submittal):

- 1) Will require PC meeting as per the Sketch Plan approval condition.
- 2) No vesting or platting occurred, and the project has changed so the project will need to meet SOLOCO standards.
- 3) No stormwater drainage plan was provided. This is generally part of any preliminary plat, as it will have a major impact on the design and layout of the subdivision.
- 4) Traffic impact & vehicular circulation / connectivity also has been well provided for, as numerous points of ingress/egress as well as new street connectivity is being established (SCDOT has approved the TIA as submitted). The accounted daily trips should even be less, as the commercial uses that were formerly planned for are no longer part of the proposed development (now residential only).
- 5) What particularly stands out after reviewing their tree survey, is the amount of Landmark & Specimen tree (esp. Live Oaks) that will be preserved and incorporated within the proposed Park & Open Space area as well as part of the streetscaping. Specifically, the tree survey shows a

removal of 245" of caliber of Landmark and removal of 32" in caliber (DBH) of Specimen trees. However, a total of 2,421" in caliber of mostly Live Oak trees (both Landmark & Specimen) are being preserved.

- 6) One of the parking spaces to the immediate west of the 4-unit apartment house appears to be in front of the primary façade plane. Per Section 4.5.7.B.3 of the Beaufort Code, "On-site parking must be located behind the building and accessed off a rear alley." The three parking spaces in question should be shifted slightly to the north so that they are located behind the building's primary façade.
- 7) Staff has concerns about lots 65 and 66, and believes their placement lacks a clear pattern. Additionally, these lots do not front appropriate streets, as both buildings front the access alley for the rear of Lots 34-36 (staff does not believe the 0.04 acre park is enough to govern a building's frontage). The addition of the extra drive to get to the four parking spaces for lots 65 and 66 also creates an odd condition, as there are now two dead-end lanes at this area of the property within close proximity of each other. Staff recommends removing these two lots and adjacent lane/parking spaces and designating this whole area as a park. If the units are still desired by the applicant, staff recommends utilizing the 2-unit building type more than once.

Changes Since January and February 2025:

The preliminary plat was placed on the agenda for both the January and February PC meetings, and then withdrawn. Staff and the Applicant worked on the following items:

- 1) **Stormwater**: resolved, and the applicant is now proposing a compliant stormwater plan.
- 2) **Traffic impact & vehicular circulation**: Staff and the Applicant met to discuss concerns about the Ribaut Road access point, and thru traffic on Oakhaven. Staff's concerns included safety concerns about full access drive 320' away from Allison Road, site distance, and thru traffic. After some discussion, both parties agreed that removing the access point on Ribaut Road would be the safest and most practical option, while providing for additional green space and tree retention.
- 3) **Layout of southern most lots and units**: On the previous plan, Staff expressed concerns regarding the layout of what was then lots 65-66. The Applicant revised the layout of these lots (now lots 69-70) to a pattern satisfies the code.

- 4) **Layout of parking for fourplex:** the former layout depicted a fourplex or multi-family building adjacent to the Ribaut Road entrance, which didn't meet the parking in the rear standards per Section 4.5.7.B.3 of the Beaufort Code. The four plex has been removed and replaced with rear loaded townhouses.

With the proposed changes noted above, Staff is fully in support of the Preliminary Plat.

Findings of Fact:

<u>9.8.2.I Finding of Fact</u>	<u>Rationale Present (yes/no)</u>	<u>Staff Analysis of Rationale</u>
a. The plan is consistent with the adopted plans and policies of the City.	Yes	➤ The project is consistent with all plans and policies of the City. ➤ The developer has incorporated all staff comments, as well as concerns over open space, trees, density, height, access, thru access, and stormwater into the current request.
b. The plan complies with all applicable requirements of this Code.	Yes	➤ The project is consistent with all plans and policies of the City. ➤ The developer has incorporated all staff comments, as well as concerns over open space, trees, density, height, access, thru access, and stormwater into the current request.
c. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed.	Yes	➤ Recent improvements to Allison Road support the plan by providing a safe signalized intersection for motorists and pedestrians as well as drainage and utility improvements. ➤ There is existing water, sewer, stormwater and electric utilities to support the plan.

d. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.	Yes.	➤ The developer has reduced the density, scale of uses, and mass and height of buildings on the site as compared to previous Sketch Plans. The new plan is much more consistent with the adjoining single family neighborhood. ➤ The design of the proposed plan saves many landmark and specimen trees. ➤ The uses are allowed in T-5 UC, with townhouses being amongst the lowest density or impact uses permitted in the T-5 UC district.
e. The proposed plan conforms to the Building Design Standards in Article 4.	Yes/with conditions	➤ Consider a recommendation to the developer, to agree to a two story restriction for the lots immediately adjacent to the adjoining existing subdivision.
f. The application will not substantially lessen the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.	Yes.	➤ The applicant has chosen a lower density use and retained much of the existing native tree canopy. Staff believes the plan would not be detrimental to adjoining properties.

FINDINGS AND RECOMMENDATIONS

Staff Recommendation: Staff recommends approval of the request, with the following recommendations and conditions for Final Plat Approval:

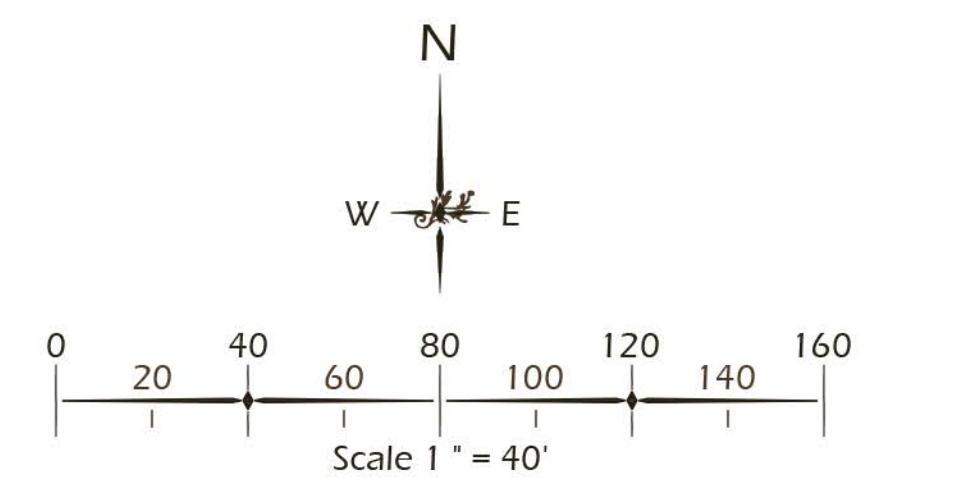
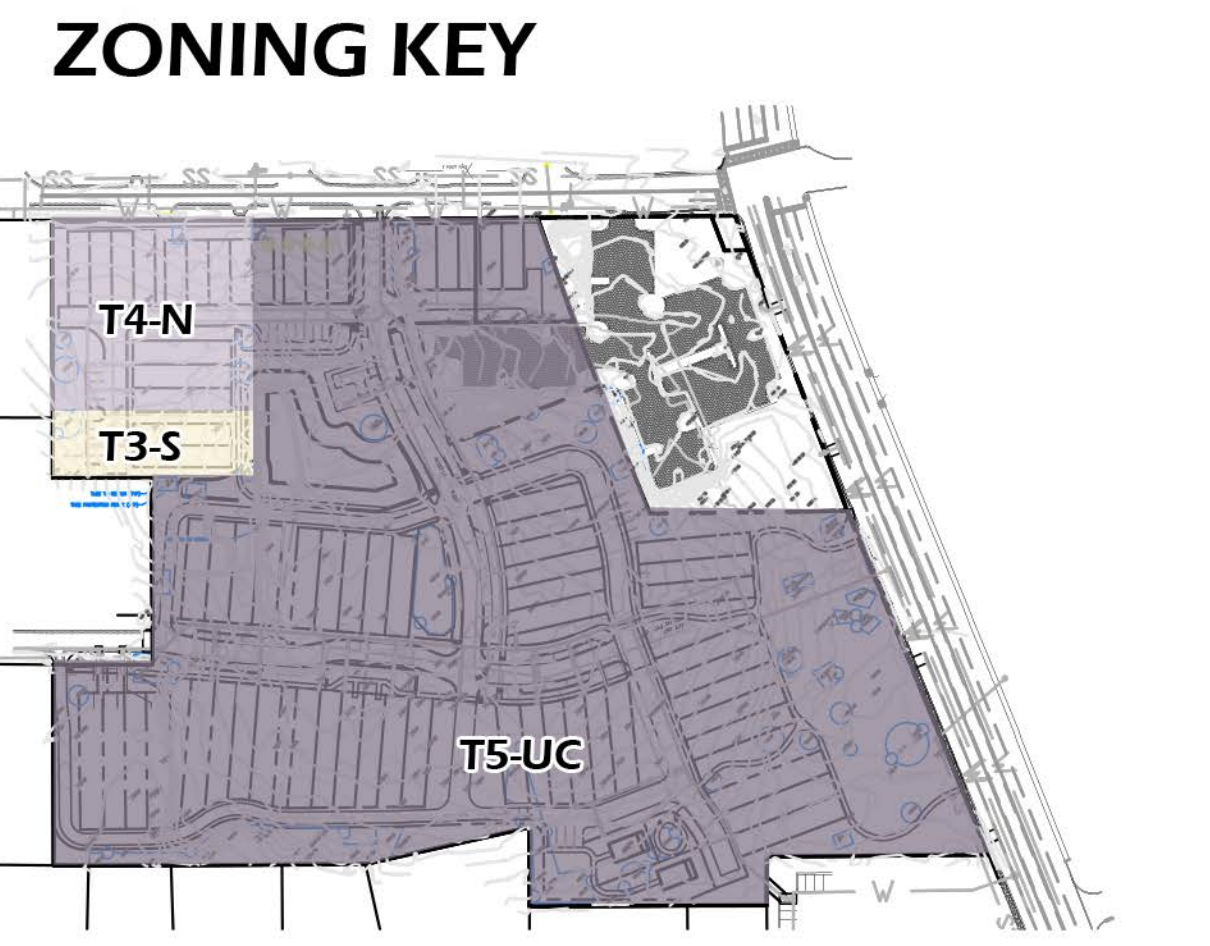
Recommendation:

1. Encourage the developer to limit the height of units adjoining the western border to a two story height max to better match the height and form of the adjoining neighborhood. This includes the following lots: 1-4; 10-13; 67-68;



DEVELOPMENT SUMMARY	
TYPE	QUANTITY
ROWHOME 'A' 24' x 110' MIN. PARKING ON LOT (2 SPACES)	6 UNITS
ROWHOME 'B' 24' x 90' MIN. PARKING ON LOT (2 SPACES)	19 UNITS
ROWHOME 'C' 22' x 110' MIN. PARKING ON LOT (2 SPACES)	20 UNITS
ROWHOME 'D' 22' x 65' MIN. PARKING ON LOT (2 SPACES)	21 UNITS
2-UNIT BLDG (DUPLEX) PARKING ALLOCATED ON SITE PLAN	2 UNITS
2-UNIT BLDG (STACKED) PARKING ALLOCATED ON SITE PLAN	4 UNITS
TOTAL UNITS	72 UNITS

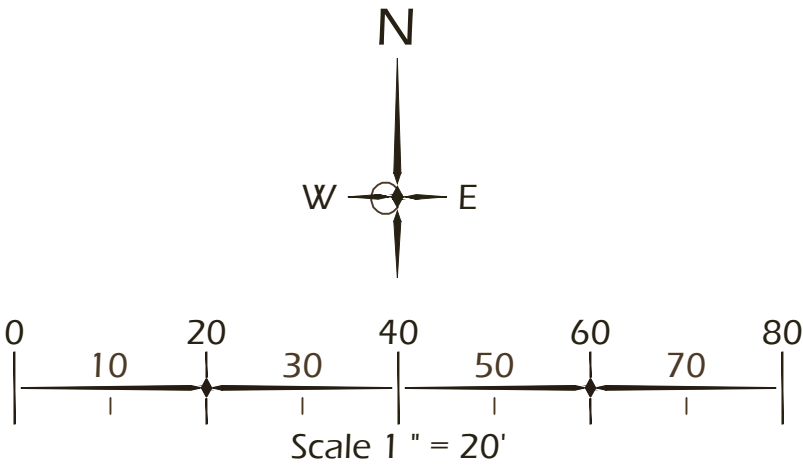
- PARKING LEGEND**
- ON - STREET PARKING / GUEST PARKING
 - ON - LOT PARKING
 - PARKING FOR 2 UNIT / 4 UNIT BUILDING





Planting Details		
Call-out	Description	Detail
14.1	Tree Planting	X/L50X
14.2	Palm Tree Planting	X/L50X
14.3	Shrub Planting	X/L50X
14.4	Ground Cover Planting	X/L50X
14.5	Root Barrier	X/L50X

Plant Key Legend		
Abbrev	Botanical Name	Common Name
Trees		
MAGG	Magnolia grandiflora	Southern Magnolia
QUET	Quercus texana	Nuttall Oak
QUEV	Quercus virginiana	Live Oak
SABP	Sabal palmetto	Cabbage Palm
TAXD	Taxodium distichum	Bald Cypress
Understory Trees		
ILEE	Ilex x attenuata 'East Palatka'	East Palatka Holly
ILES	Ilex x attenuata 'Savannah'	Savannah Holly
LAGN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle



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SITE DEVELOPMENT PLANS
FOR
1026 RIBAUT ROAD
BEAUFORT, SC

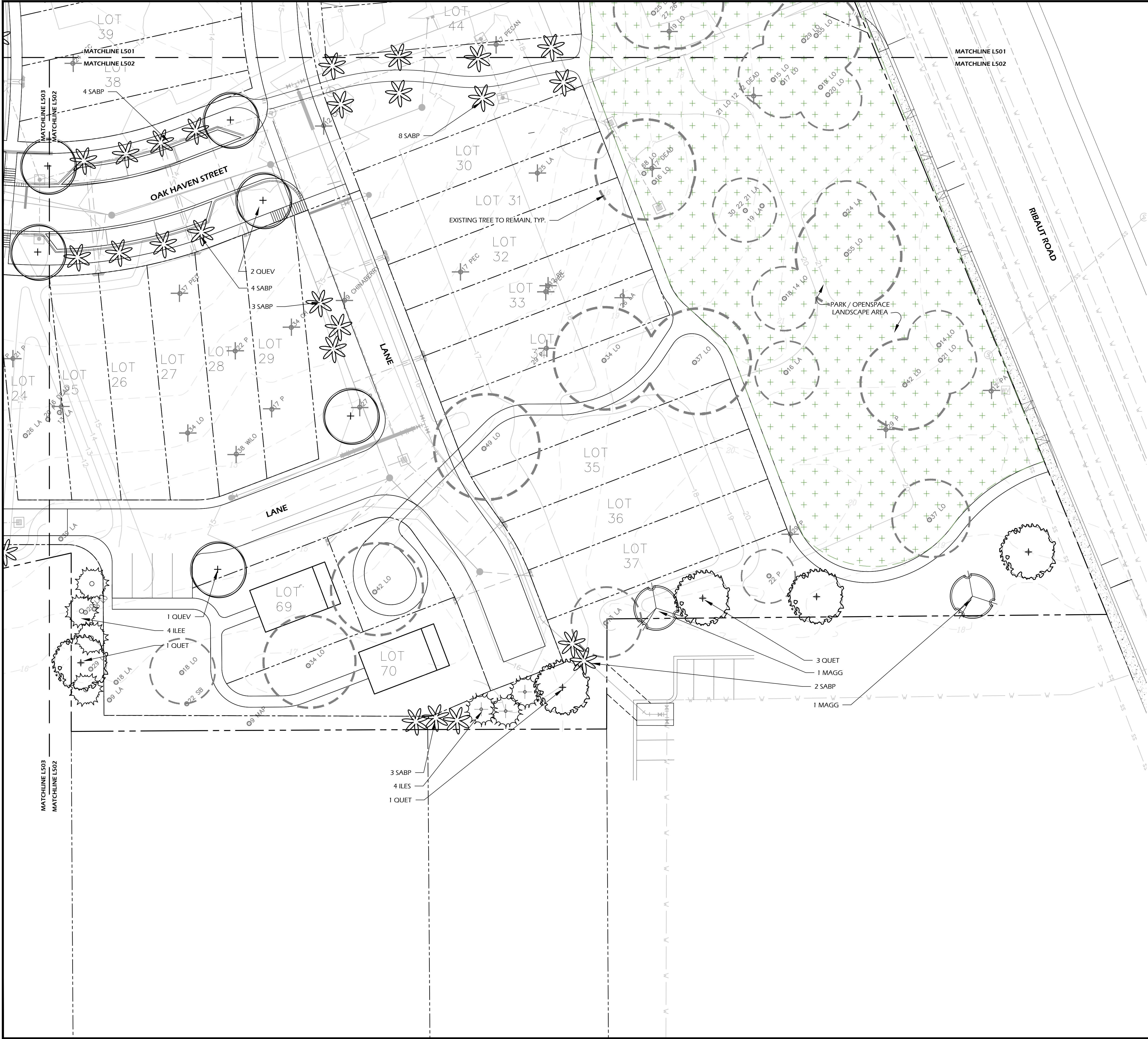
DATE: MAR 10, 2025
PROJECT NO.: 20020.01
DRAWN BY: KJ
CHECKED BY: DK

PRELIMINARY
SUBMITTAL PLAN,
NOT FOR
CONSTRUCTION

REVISIONS:

DRAWING TITLE
PLANTING PLAN

DRAWING NUMBER
L501



PLANTING DETAILS		
CALL-OUT	DESCRIPTION	DETAIL
14.1	TREE PLANTING	X/L50X
14.2	PALM TREE PLANTING	X/L50X
14.3	SHRUB PLANTING	X/L50X
14.4	GROUND COVER PLANTING	X/L50X
14.5	ROOT BARRIER	X/L50X

PLANT KEY LEGEND		
Abbrev	Botanical Name	Common Name
TREES		
MAGG	Magnolia grandiflora	Southern Magnolia
QUET	Quercus texana	Nuttall Oak
QUEV	Quercus virginiana	Live Oak
SABP	Sabal palmetto	Cabbage Palm
TAXD	Taxodium distichum	Bald Cypress
UNDERSTORY TREES		
ILEE	Ilex x attenuata 'East Palatka'	East Palatka Holly
ILES	Ilex x attenuata 'Savannah'	Savannah Holly
LAGN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle

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SITE DEVELOPMENT PLANS
FOR
1026 RIBAUT ROAD
BEAUFORT, SC

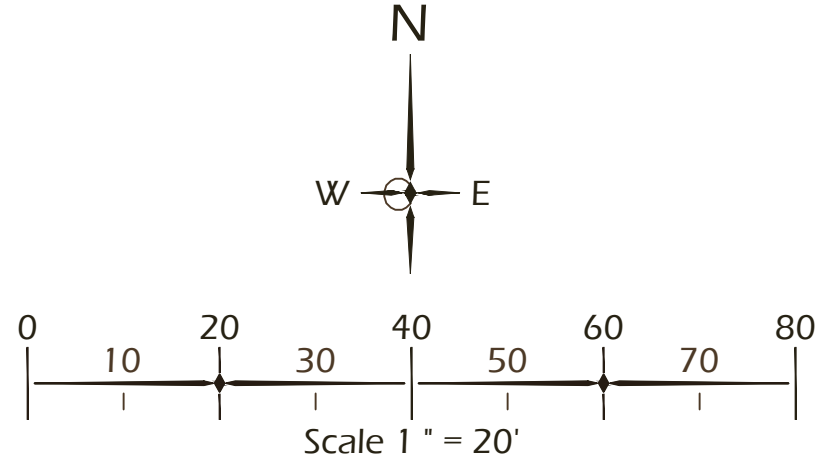
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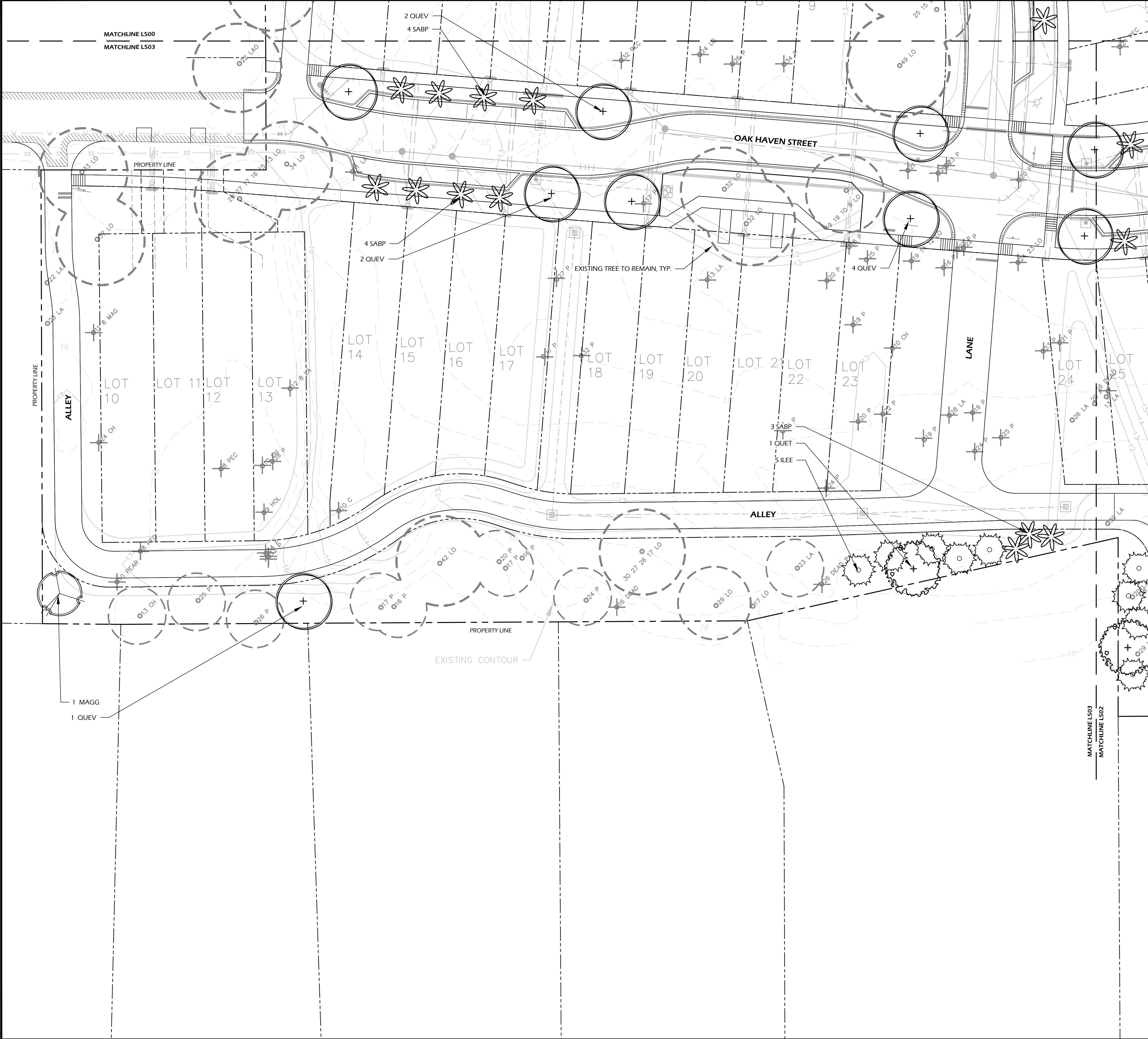
PRELIMINARY
SUBMITTAL PLAN,
NOT FOR
CONSTRUCTION

REVISIONS:

DRAWING TITLE
PLANTING PLAN

DRAWING NUMBER
L502





Planting Details		
Call-Out	Description	Detail
14.1	Tree Planting	X/L50X
14.2	Palm Tree Planting	X/L50X
14.3	Shrub Planting	X/L50X
14.4	Ground Cover Planting	X/L50X
14.5	Root Barrier	X/L50X

Plant Key Legend		
Abbrev	Botanical Name	Common Name
TREES		
MAGG	Magnolia grandiflora	Southern Magnolia
QUET	Quercus texana	Nuttall Oak
QUEV	Quercus virginiana	Live Oak
SABP	Sabal palmetto	Cabbage Palm
TAXD	Taxodium distichum	Bald Cypress
UNDERSTORY TREES		
ILEE	Ilex x attenuata 'East Palatka'	East Palatka Holly
ILES	Ilex x attenuata 'Savannah'	Savannah Holly
LAGN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle



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SITE DEVELOPMENT PLANS
FOR
1026 RIBAUT ROAD
BEAUFORT, SC

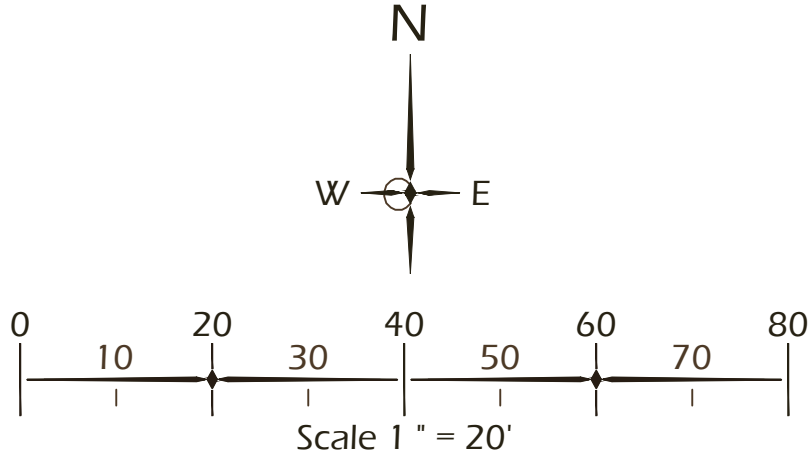
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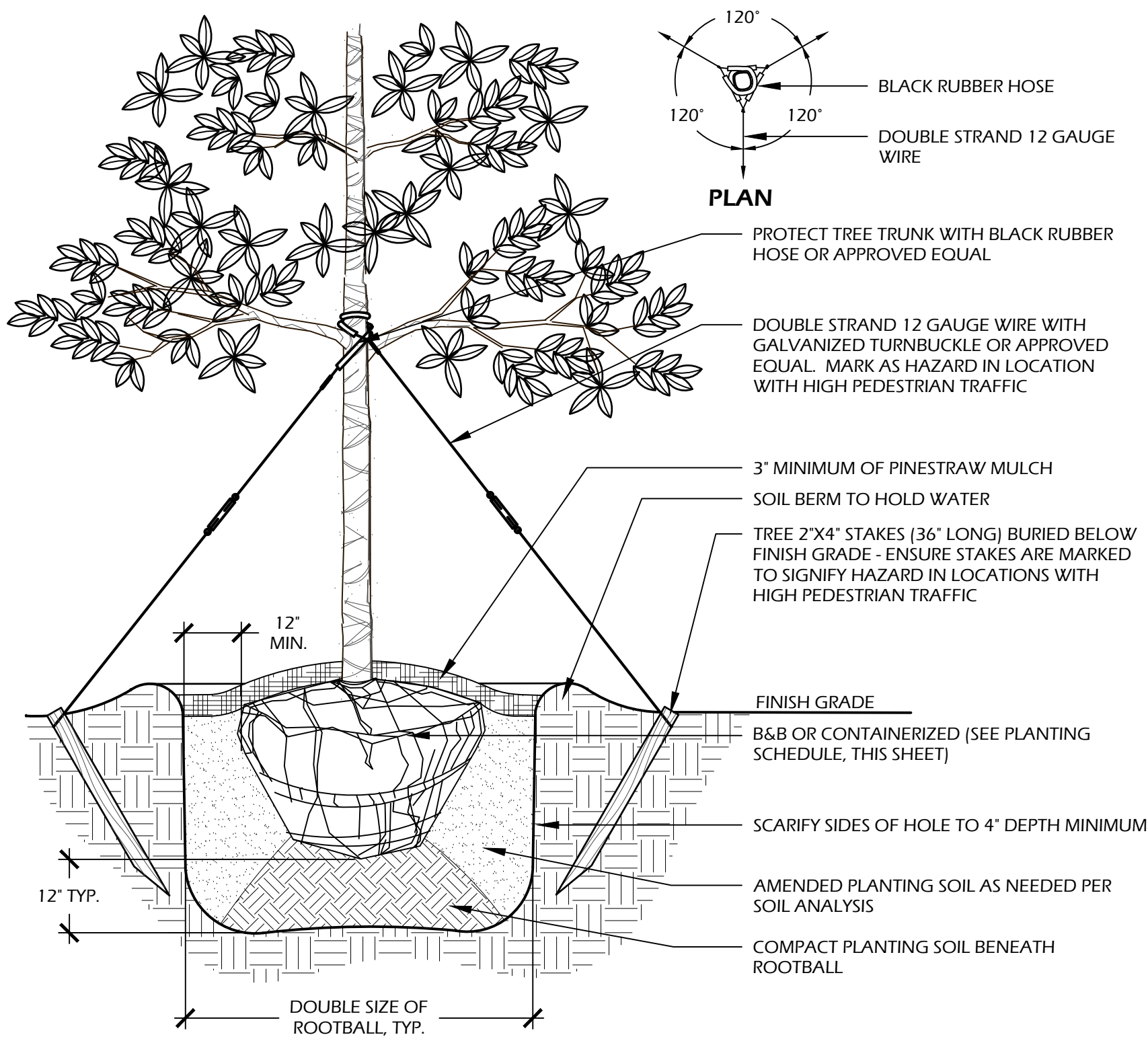
PRELIMINARY
SUBMITTAL PLAN,
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CONSTRUCTION

REVISIONS:

DRAWING TITLE
PLANTING PLAN

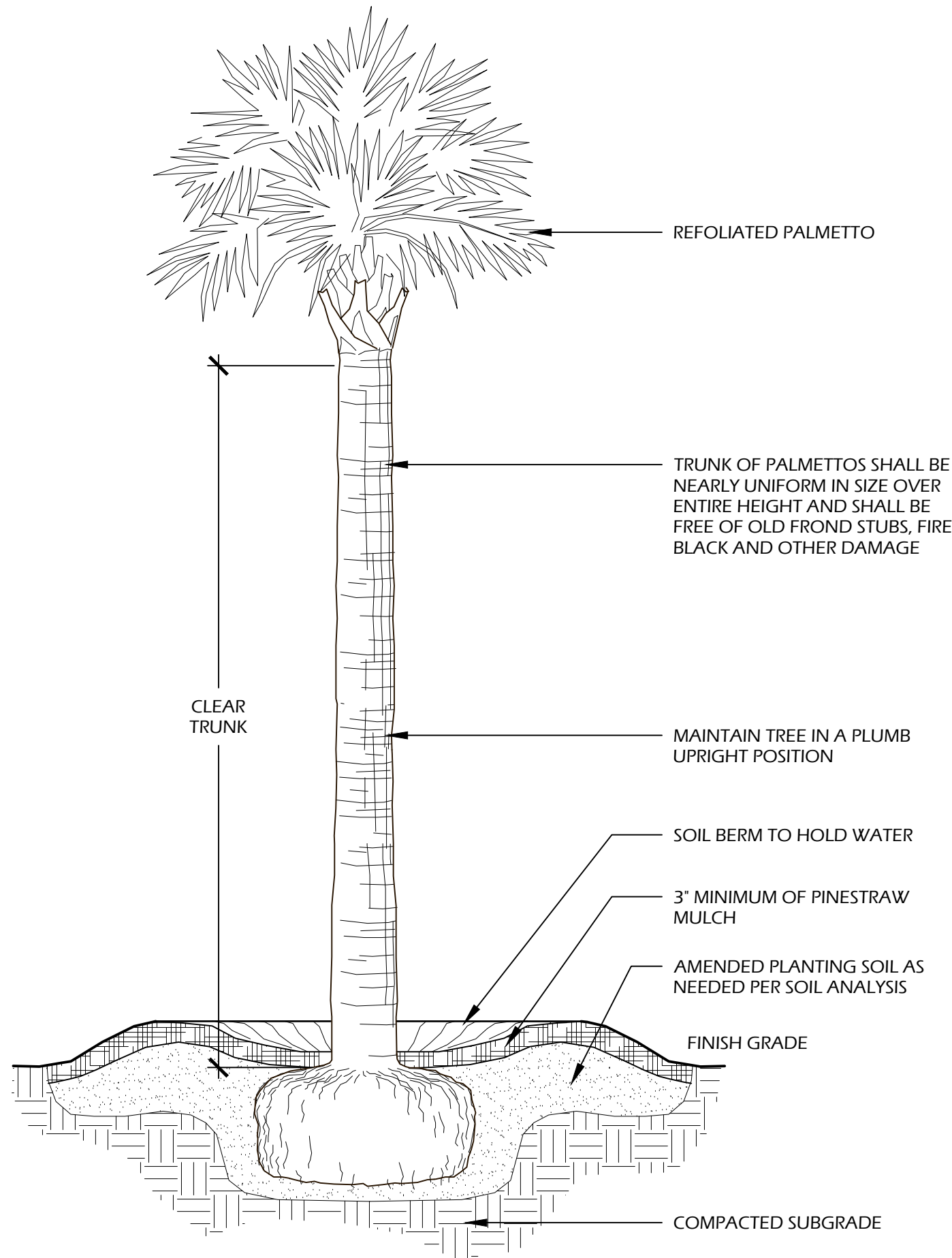
DRAWING NUMBER
L503





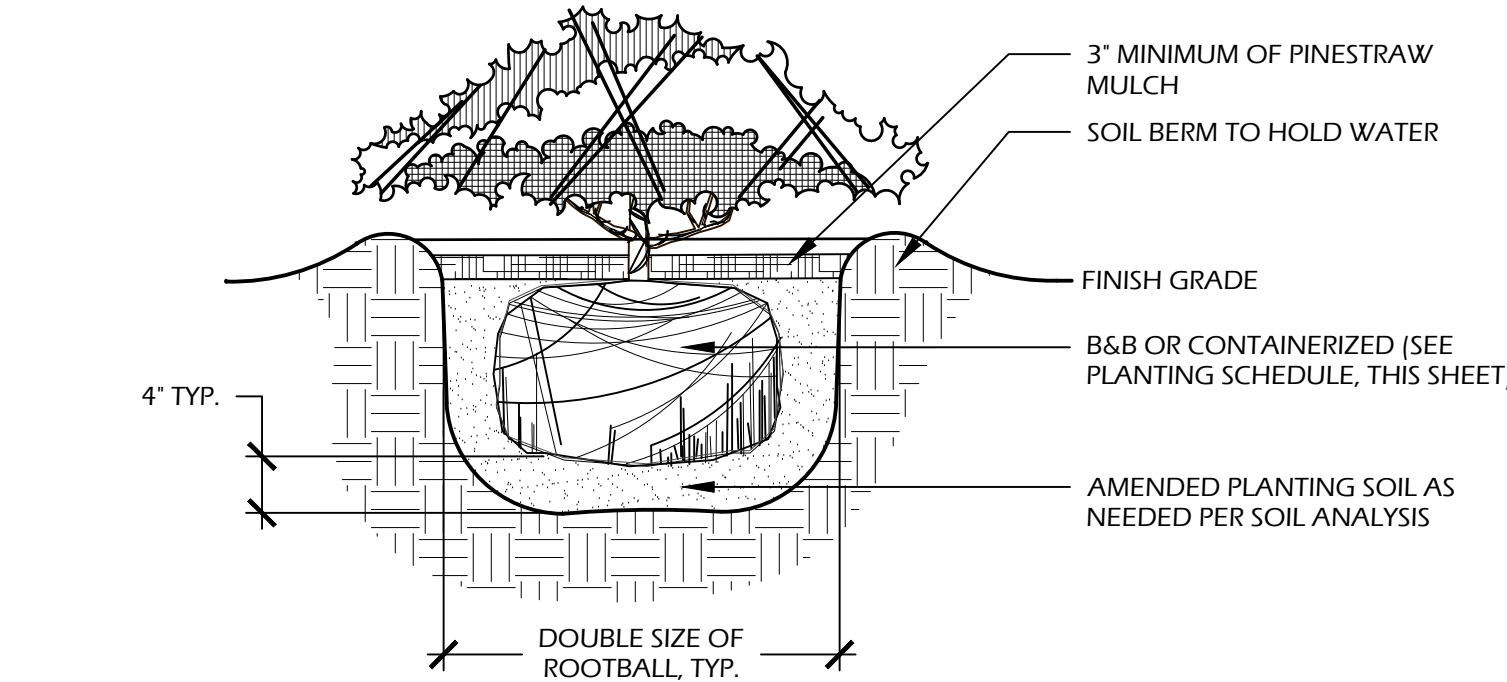
- NOTES:**
- TREE STAKING OPTIONAL, HOWEVER, LANDSCAPE CONTRACTOR RESPONSIBLE FOR MAINTAINING TREES IN AN UPRIGHT (90 DEGREE/ PERPENDICULAR) POSITION FOR 1 YEAR AFTER PLANTING IS COMPLETE OR UNTIL TREE ROOT SYSTEM IS FULLY ESTABLISHED AND STURDY. FINAL TREE STAKING DETAILS AND PLACEMENT TO BE APPROVED BY OWNER'S REPRESENTATIVE.
 - CONTRACTOR SHALL ASSURE PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION.
 - IN SEMI-IMPERVIOUS SOIL CONDITIONS, ROOTBALL ELEVATION SHALL BE 2" ABOVE FINISH GRADE. COORDINATE WITH OWNER'S REPRESENTATIVE PRIOR TO SETTING ROOTBALL ELEVATIONS.

1 // L510 TREE PLANTING
SCALE: N.T.S.



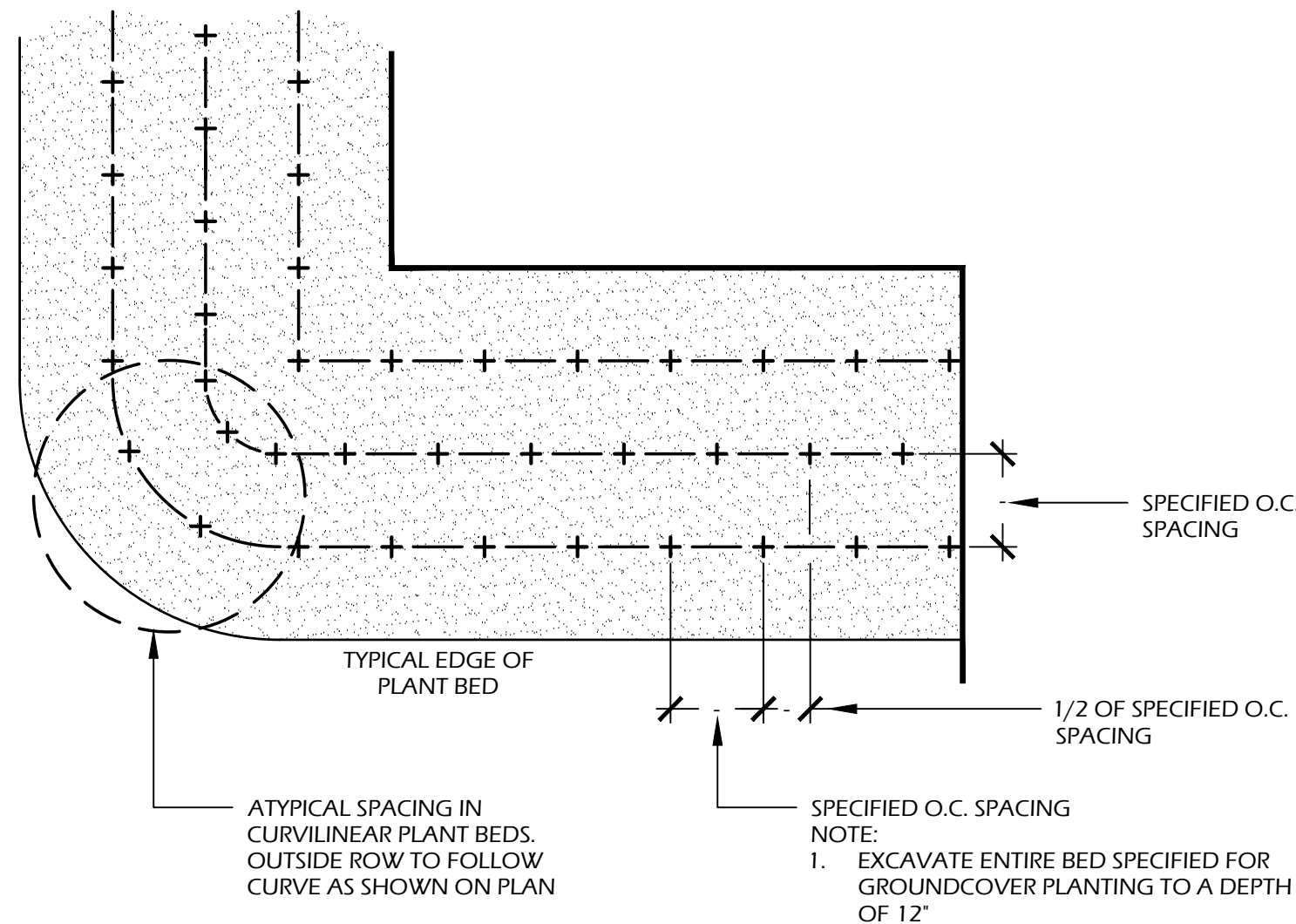
- NOTES:**
- FINAL TREE STAKING DETAILS AND PLACEMENT TO BE APPROVED BY OWNER OR OWNER'S REPRESENTATIVE.
 - CONTRACTOR SHALL ASSURE PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION.
 - SABAL PALMETTOS SHALL BE REFOOLIATED, PROTECT CABBAGE HEAD FROM DAMAGE.

2 // L510 PALM TREE PLANTING
SCALE: N.T.S.



- NOTES:**
- WHEN GROUNDCOVERS AND SHRUBS ARE USED IS MASSES, ENTIRE BED TO BE EXCAVATED TO RECEIVE PLANTING SOIL AND PLANT MATERIAL.
 - CONTRACTOR SHALL ASSURE PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION.
 - IN SEMI-IMPERVIOUS SOIL CONDITIONS, ROOTBALL ELEVATION SHALL BE 2" ABOVE FINISH GRADE. COORDINATE WITH OWNER'S REPRESENTATIVE PRIOR TO SETTING ROOTBALL ELEVATIONS.

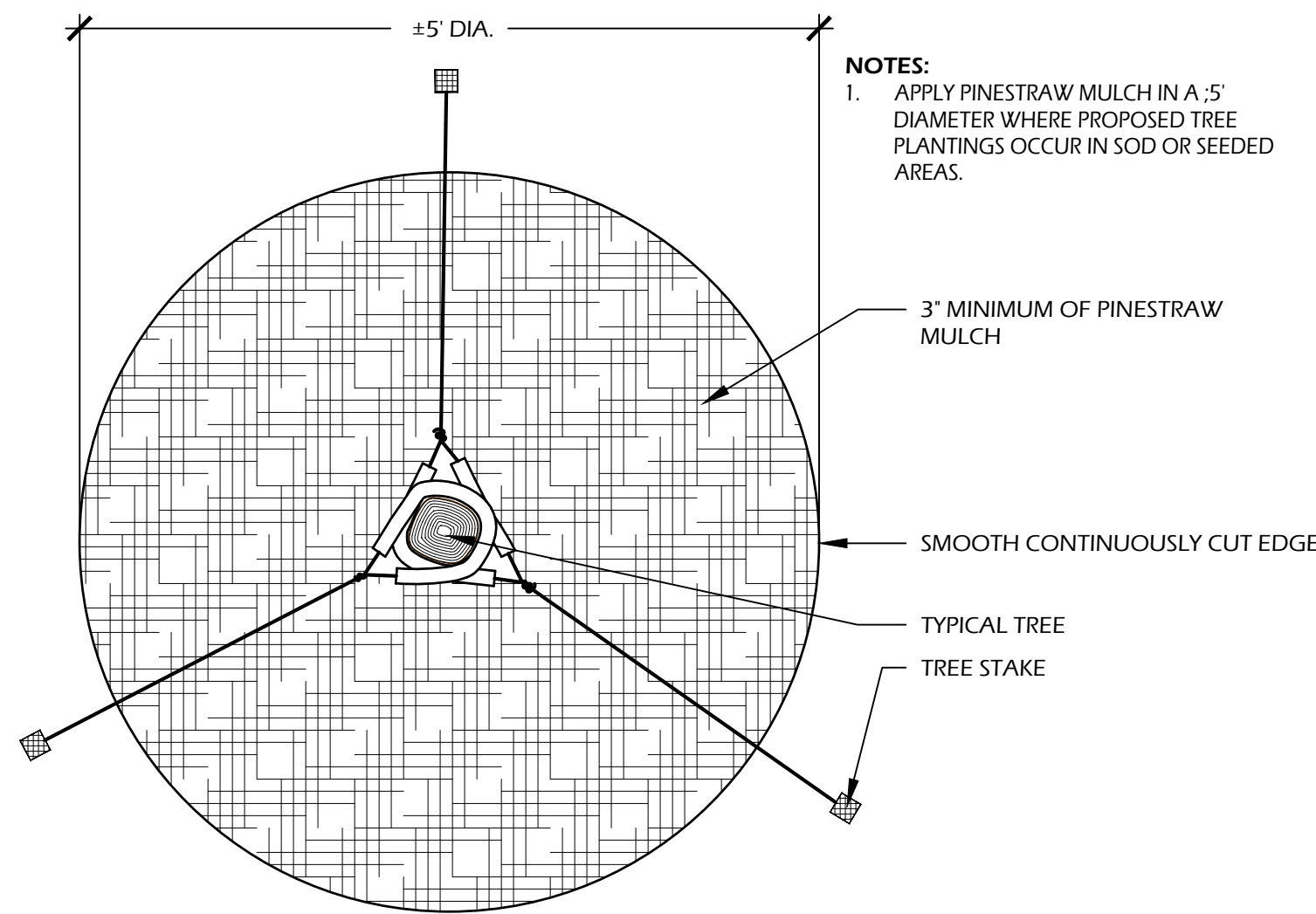
3 // L510 SHRUB PLANTING
SCALE: N.T.S.



4 // L510 GROUND COVER PLANTING
SCALE: N.T.S.

PLANT SCHEDULE:

Quantity	Abbrev	Botanical Name	Common Name	Height	Spread	Container	Cal/Spacing	Notes
TREES								
-	MAGG	Magnolia grandiflora	Southern Magnolia	12'-14'	6'-7'	Cont.	-	Full to ground
-	QUET	Quercus texana	Nuttall Oak	14'-16'	6'-8'	Cont.	4"	Full
-	QUEV	Quercus virginiana	Live Oak	14'-16'	6'-8'	Cont.	4"	Full
-	SABP	Sabal palmetto	Cabbage Palm	12'-16'	-	Cont.	-	Refoliated, full clear trunk, refer to plan for heights
-	TAXD	Taxodium distichum	Bald Cypress	14'-16'	6'-8'	Cont.	4"	Full
UNDERSTORY TREES								
-	ILEE	Ilex x attenuata 'East Palatka'	East Palatka Holly	6'-7'	3'-4'	15 gal.	-	Full
-	ILES	Ilex x attenuata 'Savannah'	Savannah Holly	6'-7'	3'-4'	15 gal.	-	Full
-	LAGN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle	10'-12'	5'-6'	45 gal.	-	Full



- NOTES:**
- APPLY PINESTRAW MULCH IN A 5' DIAMETER WHERE PROPOSED TREE PLANTINGS OCCUR IN SOD OR SEEDED AREAS.

5 // L501 TREE STAKING
SCALE: N.T.S.

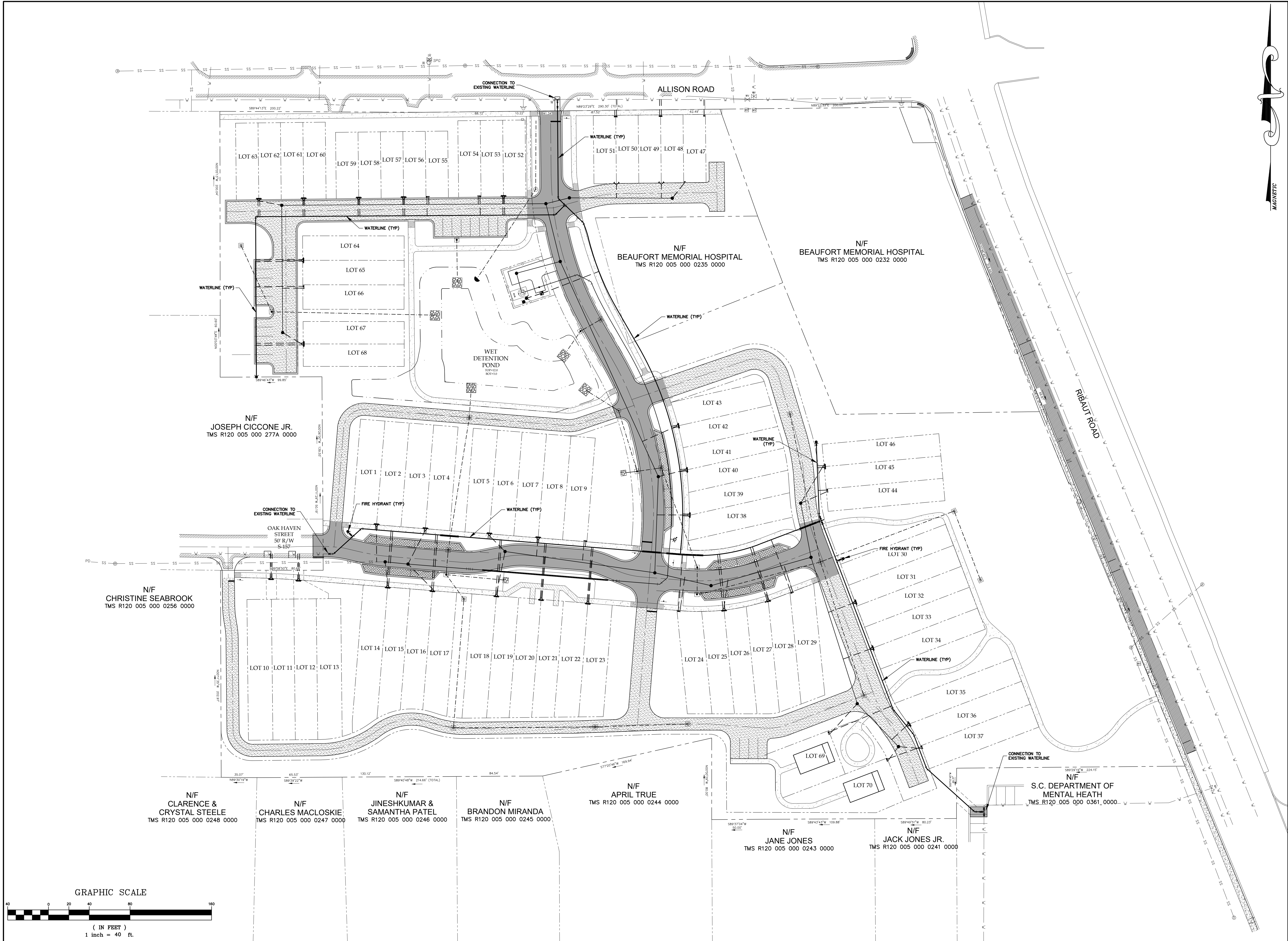
SITE DEVELOPMENT PLANS FOR
1026 RIBAUT ROAD
BEAUFORT, SC

PRELIMINARY SUBMITTAL PLAN, NOT FOR CONSTRUCTION

REVISIONS:

DRAWING TITLE
PLANT SCHEDULE AND DETAILS

DRAWING NUMBER
L501



1026 RIBAUT ROAD
CITY OF BEAUFORT
BEAUFORT COUNTY, SC

CAROLINA ENGINEERING CONSULTANTS, INC.
PO BOX 294
BEAUFORT, SC 29901

PROJECT: 2037
DATE: 03/25/24
REVISED: 03/10/25
DRAWN BY: BJS
ENGINEER: JPA
SCALE: 1"=40'

WATER EXHIBIT
1 OF 1

1026 RIBAUT ROAD
CITY OF BEAUFORT
BEAUFORT COUNTY, SC

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WATER EXHIBIT
1 OF 1

PLAN REVISIONS	
NO.	DESCRIPTION
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1026 RIBAUT ROAD
CITY OF BEAUFORT
BEAUFORT COUNTY, SC

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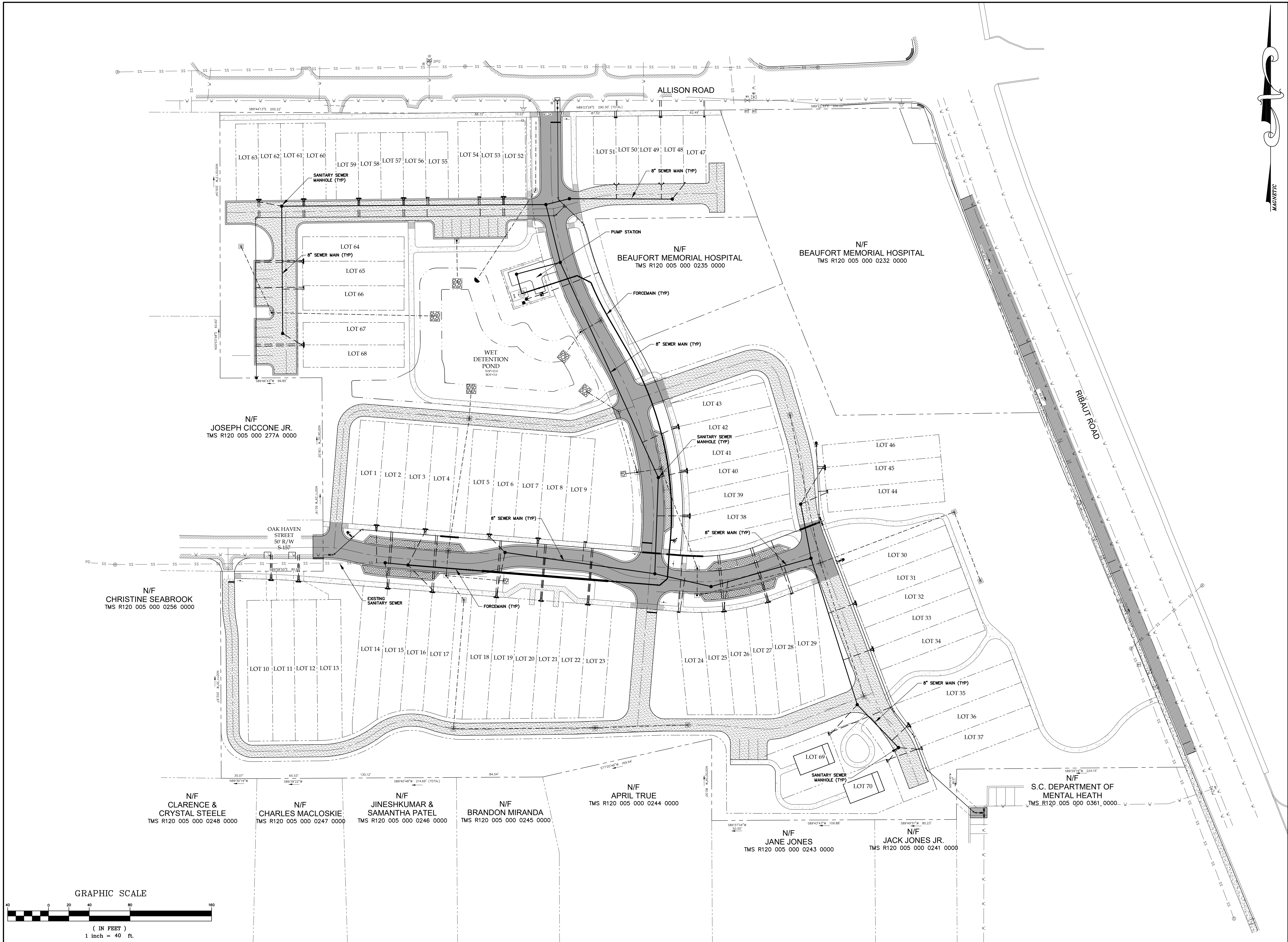
WATER EXHIBIT
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BEAUFORT COUNTY, SC

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WATER EXHIBIT
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CITY OF BEAUFORT
BEAUFORT COUNTY, SC

CAROLINA ENGINEERING CONSULTANTS, INC.
PO BOX 294
BEAUFORT, SC 29901

PROJECT: 2037
DATE: 03/25/24
REVISED: 03/10/24
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ENGINEER: JPA
SCALE: 1"=40'

SANITARY SEWER
EXHIBIT
1
OF 1

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7	-
8	-

1026 RIBAUT ROAD
CITY OF BEAUFORT
BEAUFORT COUNTY, SC

CAROLINA ENGINEERING CONSULTANTS, INC.
843/322-0553
843/322-0556 (FAX)
WWW.CAROLINAENGINEERING.COM
PO BOX 294
BEAUFORT, SC 29901

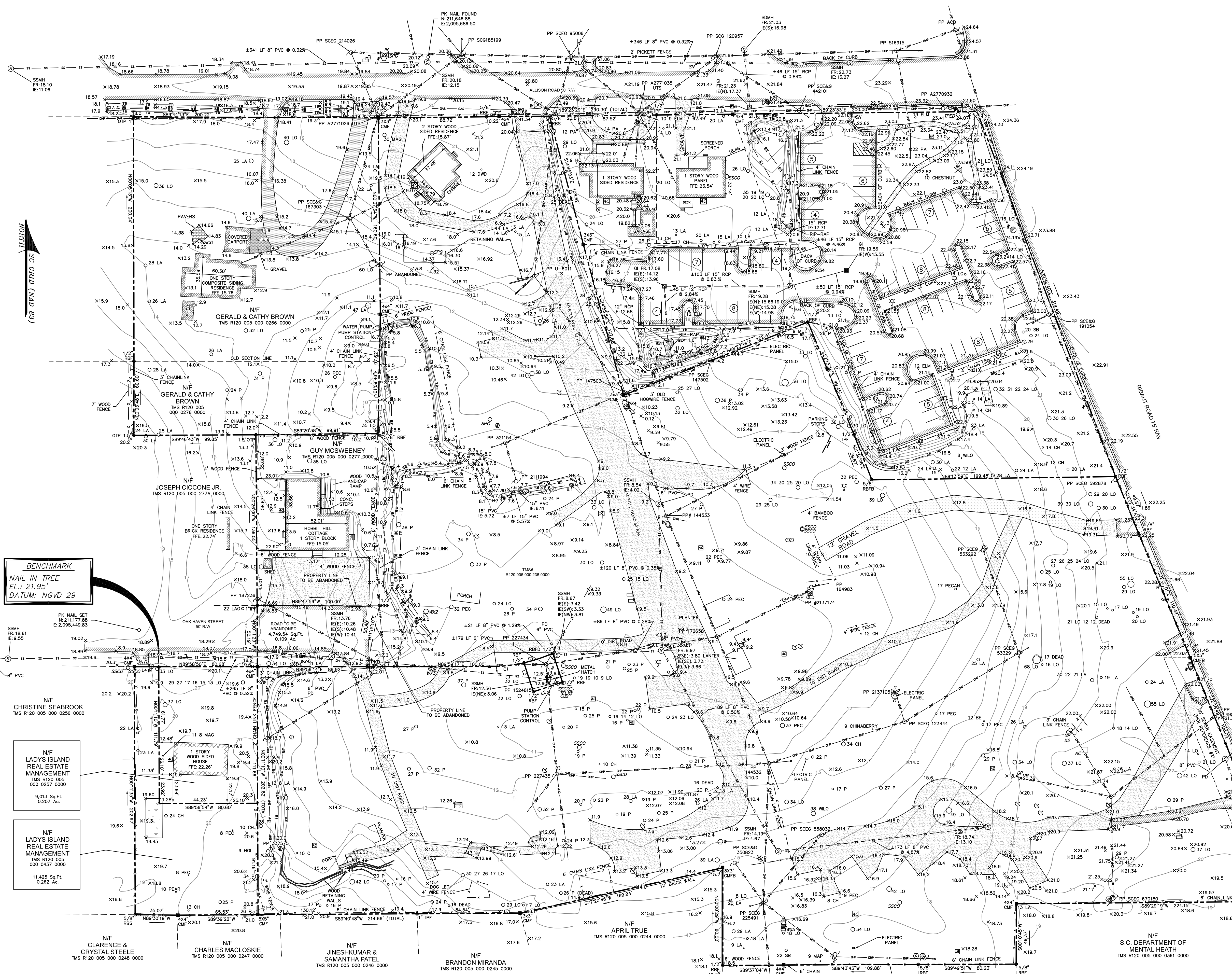
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REVISED:	03/10/25
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ENGINEER:	JPA
SCALE:	1"=40'

STORM
EXHIBIT

1
OF 1

APPROVED SKETCH

PLAN MPC 12-2021



- LEGEND
- CMF ■ CONC. MONUMENT FOUND
 - CMFB ■ CONC. MONUMENT FOUND BROKEN
 - OTP ● OPEN TOP PIPE
 - RBF ● IRON REBAR FOUND
 - RBS ○ IRON REBAR SET
 - XS x SCRIBED X
 - ACU AIR CONDITIONING UNIT
 - CJB CABLE JUNCTION BOX
 - EM ELECTRIC METER
 - FH FIRE HYDRANT
 - GI GRATE INLET
 - GM GAS METER
 - GW GUY WIRE
 - ICV IRRIGATION CONTROL VALVE
 - JBOX JUNCTION BOX
 - LP LIGHT POLE
 - MB MAIL BOX
 - PP POWER POLE
 - SDM STORM DRAIN MANHOLE
 - SE SPOT ELEVATION
 - SPG SPIGOT
 - SSCO SANITARY SEWER CLEAN OUT
 - SV GAS VALVE
 - SM SANITARY SEWER MANHOLE
 - SP GAS PIPE
 - UP UTILITY POLE
 - TEL TELEPHONE JUNCTION BOX
 - TE TRANSFORMER-ELECTRIC
 - UGM UNDERGROUND GAS MARKER
 - WM WATER METER
 - FFE FINISHED FLOOR ELEVATION
 - IE INVERT ELEVATION
 - PVC POLYVINYL CHLORIDE PIPE
 - RCP REINFORCED CONCRETE PIPE
 - x — FENCE LINE
 - DWP — OVERHEAD POWER LINE
 - x — OLD HOGWIRE FENCE
 - GAS — UNDERGROUND GAS LINE
 - EDM — UNDERGROUND COMMUNICATIONS LINE
 - SD — UNDERGROUND STORM DRAIN LINE
 - P PINE
 - LA LAUREL OAK
 - LO LIVE OAK
 - MAP RED MAPLE
 - PEC PECAN
 - CH CHERRY
 - DWD DOGWOOD
 - WLO WILLOW OAK
 - SB SUGAR BERRY
 - MUL MULBERRY
 - HO HOLLY
 - Edge of Pavement
 - CONCRETE
 - OPED TELEPHONE PEDESTAL
 - PD PIPE DIRECTION

BENCHMARK
NAIL IN TREE
E.L.: 21.95'
DATUM: NGVD 29

N/F
CHRISTINE SEABROOK
TMS R120 005 000 0256 0000

N/F
LADY'S ISLAND REAL ESTATE MANAGEMENT
TMS R120 005 000 0257 0000

N/F
LADY'S ISLAND REAL ESTATE MANAGEMENT
TMS R120 005 000 0437 0000

N/F
CLARENCE & CRYSTAL STEELE
TMS R120 005 000 0248 0000

N/F
CHARLES MACLOSKE
TMS R120 005 000 0247 0000

N/F
JINESHKUMAR & SAMANTHA PATEL
TMS R120 005 000 0246 0000

N/F
BRANDON MIRANDA
TMS R120 005 000 0245 0000

N/F
APRIL TRUE
TMS R120 005 000 0244 0000

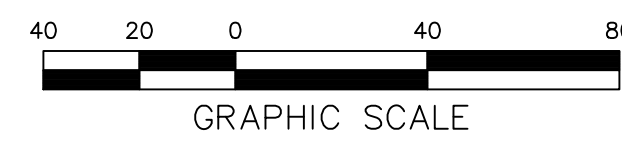
N/F
JANE JONES
TMS R120 005 000 0243 0000

N/F
JACK JONES JR.
TMS R120 005 000 0241 0000

N/F
S.C. DEPARTMENT OF MENTAL HEALTH
TMS R120 005 000 0361 0000

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S19°27'16"E	24.92'
L2	S71°38'15"W	25.04'
L3	N18°10'57"W	24.97'
L4	N89°58'50"E	20.02'

CURVE TABLE			
LABEL	RADIUS	ARC CHORD	CHORD BEARING
C1	129.69'	28.50'	N3°34'52"E
C2	129.69'	24.96'	N71°45'02"E



SSMH
FR:20.14
IE:12.79

CONCEPTUAL SITE PLAN

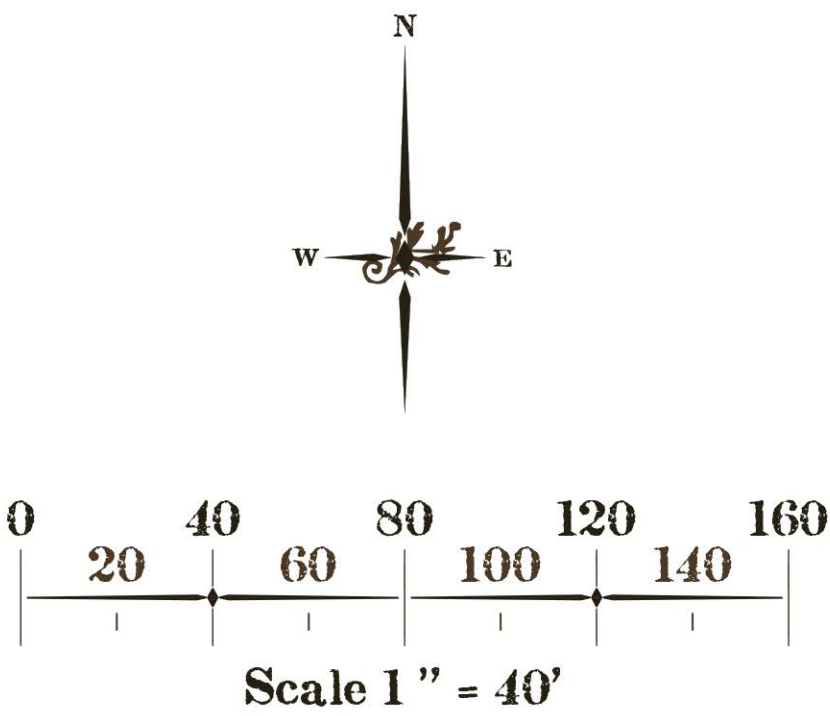


DEVELOPMENT SUMMARY
PARCEL 'A' ±1.6 AC

PARCEL 'B' ±10.4 AC
±56,800 SF TOTAL

RETAIL, RESTAURANT, OFFICE,
MEDICAL -
REQUIRES 1 SPACE/400 SF

±142 PARKING SPACES REQUIRED
±150 PARKING SPACES PROVIDED



FORMERLY SUBMITTED SITE PLAN 2020



RIBAUT APARTMENTS

APARTMENT BUILDING

5 STORIES OVER PARKING LEVEL

1ST FLR (PARKING)	= 100,000 SF
2ND FLR (AMENITY)	= 10,000 SF
2ND FLR (RESIDENTIAL)	= 55,300 SF
3RD FLR (RESIDENTIAL)	= 55,300 SF
4TH FLR (RESIDENTIAL)	= 55,300 SF
5TH FLR (RESIDENTIAL)	= 55,300 SF
6TH FLR (RESIDENTIAL)	= 55,300 SF

TOTAL GSF = 386,500 SF

CONDITIONED SPACE = 286,500 SF

UNIT MIX - 234 UNITS

STUDIOS (15%)	= 36 UNITS
1 BDS (40%)	= 94 UNITS
2 BDS (40%)	= 94 UNITS
3 BDS (5%)	= 10 UNITS

PARKING

SITE PARKING = 75 SPACES
APARTMENT BLDG PARKING = 340 SPACES

TOTAL PARKING = 415 SPACES

Chapter 5: Landscaping, Parking and Lighting

- REVISIONS -

Current revised working copy (based on
Jessie White's version) with discussed
changes (up to Section 5.3)

-

As per last PC Work Session on
March 03, 2025

-

CLEAN COPY

The Beaufort Code – Chapter 5
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(as per March 03, 2025 clean copy revision)

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5: LANDSCAPING, PARKING AND LIGHTING

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5: LANDSCAPING, PARKING AND LIGHTING

5.1: LANDSCAPING AND TREE PROTECTION

5.1.1 PURPOSE

The purpose and intent of this code chapter is to regulate and protect a sustainable and healthy tree canopy throughout the City of Beaufort while promoting the benefits and advantages of retaining mature trees in our landscapes, parks, and streets. There are many benefits directly attributable to trees and the regulation of tree preservation is necessary for the preservation of public health, safety, general welfare, environment and aesthetics in the City of Beaufort. Great care should be taken to integrate new development into the existing landscape, and to preserve natural vegetation where possible.

Specifically, the standards in this section are meant to:

- Maintain the current and increase for future, the total tree canopy within the City limits;
- Preserve healthy trees that might otherwise be removed through the required use of arborist reports and tree risk assessments;
- Lessen air pollution and promote clean air quality by increasing dust filtration;
- Prevent soil erosion;
- Improve surface drainage, minimize flooding, and minimize the cost of constructing and maintaining drainage systems necessitated by the increased flow and diversion of surface waters;
- Conserve energy by reducing heating and cooling costs;
- Reduce noise, heat, dust, and glare;
- Preserve biodiversity, wildlife habitat, and habitat corridors;
- Educate the public as to the importance of trees and the inherent risks that they pose and that most tree risks can be mitigated for;
- Beautify and enhance land and views from the City's entryways, public lands, and streets;
- Preserve residents' quality of life and the natural heritage of the City; and
- Maintain the ambience of the City of Beaufort and enhance property values.

5.1.2 Definitions

(a) *Arborist Report*. A report compiled by an ISA Certified Arborist containing pertinent information about the physical and structural health of the trees on a site.

-
- (b) *Caliper*. The diameter of the trunk measured six (6) inches above the ground for trees up to and including four-inch diameter and measured twelve (12) inches above the ground for larger trees. This measurement is used for proposed or nursery-grown trees.
- (c) *Certified Arborist*. A person who has met the criteria for certification from the International Society of Arboriculture (ISA), maintains his or her credentials, and is a employee of the company submitting the request for pruning or removal.
- (d) *Clearcutting*. A forestry practice in which most of or all the trees in an area are uniformly cut down.
- (e) *Commercial Use*. Any use of property for a principal use of operating a “business,” as defined in Section 3.6 and 13.1 of the Beaufort Code, that may be operated for the object of gain or benefit.
- (f) *Developed Land*. Land on which manmade structures exist or land modifications (clearing, grading, etc.) have occurred.
- (g) *Diameter at Breast Height (DBH)*. The diameter in inches of the trunk of a tree, or, for multiple trunk trees, the aggregate diameters of multiple trunks, measured four and one-half (4½) feet from the existing grade at the base of the tree. This measurement is used for existing trees.
- (h) *Diseased*. A severe disease or pest that is known to cause or is causing the death of a tree.
- (i) *Drip Line*. An imaginary vertical line extending downward from the outermost tips of a tree’s branches to the ground.
- (j) *Hazard*. A likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.
- (k) *Hazardous tree*. A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruption – that is, it poses an elevated risk.
- (l) *Elevated Risk*. A tree, or any part of a tree, that poses a risk of harm to person or property due to damage, deterioration, or numerous hazards, and where such risk cannot be mitigated by any arboricultural procedures.
- (m) *Healthy Tree*. A tree that is not dead, dying, diseased; is not at an elevated risk for failure; or is not an invasive tree.
- (n) *Impervious Surface*. Solid surface that prevents aeration, infiltration, and water penetration, resulting in several harmful side effects.
- (o) *Invasive Species*. Any non-native organism whose introduction causes or is likely to cause economic or environmental harm or harm to human health.
- (p) *Official*. A member of City staff designated by the City Manager.
- (q) *Overmature Tree*. A tree or stand that has passed the age of maturity where the rate of growth has diminished and the trees are weakened.
- (r) *Overstory Tree*. A tree that, when mature, reaches a height of at least thirty-five (35) feet.
- (s) *Pervious Surface*. A surface that allows water to percolate through to the area underneath rather than becoming runoff.
- (t) *Replacement Planting*. Tree planting that is proposed as a replacement for a tree which has been cut down.
- (u) *Residential Lot of Record*. A lot existing prior to the adoption of this ordinance where single, two-, or three-family development is permitted.
- (v) *Specimen and Landmark Trees*. see Section 5.3.1.A.

(w) *Tree Protection Zone*. The area reserved around a tree or group of trees in which no grading, access, stockpiling, or other construction activity shall occur, the extent of which will be determined by the proposed site design and existing site conditions. See Section 5.3.3 for specific requirements.

(x) *Undeveloped Land*. Raw land on which manmade structures or land modifications (clearing, grading, etc.) do not exist.

(y) *Understory Tree*. A tree that, when mature, reaches a height of twelve (12) to thirty-five (35) feet and whose natural habitat is growing under larger, higher canopied trees.

(z) *Willful Violation*. A violation in which the landowner, developer, and/or operator knowingly failed to comply with the requirements of this section.

5.1.3 Certified Arborist Report

A. Requirements

The purpose of a Certified Arborist Report is to perform a visual ground assessment of all trees including Specimen and Landmark trees using the most current copy of certified Tree and Topo created by a Registered Surveyor.

Each tree will have a detailed visual ground inspection of its surrounding site, buttress roots, trunk and branches and an assessment of the tree's general health. The information will be used to determine physical and structural health of the trees, as well as the likelihood of potential failures in each tree. This assessment protocol is based on a modified Level 2, Basic Tree Risk Assessment as outlined in ANSI A300 – Part 9: Tree, Shrub and Other Woody Plant Management – Standard Practices.

The Level 2 Basic Tree Risk Assessment is not the highest level of assessment available to arborists. Any trees that are required to be preserved on site which may need a higher level of assessment shall also be identified and any additional necessary recommendations given.

Recommendations will be given for performance and timing of maintenance procedures, such as crown pruning, root pruning and root fertilization, if deemed needed after soil testing; measures that should be performed on trees that are to be preserved on site.

This report also verifies a positive identification of all trees listed on the Tree and Topo.

B. Mitigation Pruning

Mitigation pruning is an important component of this report. All of the trees in each of the groupings, except for Category D, will have the potential to improve their standing on the site with the application of mitigation pruning.

This can generally consist of some combination of limb end weight reduction, deadwood and vine removal, the culling of understory plants, or other creative arboricultural methods to reduce some of the risks that trees present and allow more trees to be preserved on site.

C. Arborist Duty of Care

Arborists have a Duty of Care to the trees that they are assessing, not to the entity who might be financing the report. This Duty of Care takes into consideration hazards that may be found in the trees, potential targets, a tree's inherent stability under normal weather conditions, static and dynamic loads and most importantly, what arboricultural procedures can be applied to reduce any of the risks or hazards that may be uncovered. The ultimate site goals and future intentions for these trees by the owner are never a component of the assessment.

D. Assessment Format

Each of the Specimen and Landmark trees on a site plan will be categorized into four different groups, designating each tree's individual condition based on both structural and physical health factors. In order to make the report more diverse and the tree cover more sustainable, any of the more valuable smaller trees are also suggested to be assessed and highlighted so that there will be more information on their status and thus may be able to remain in the landscape. Each condition grouping will be highlighted with a specific color on the site plan. These designating letters and grouping categories are as follows:

Category A) **Highlighted in Green:** A tree with no or slight defects and a low risk of failure. This tree is thriving for its species and location. It has little or no obvious faults or defects that would warrant a more detailed inspection. Some minor pruning may be needed including light reduction of end-weight growth and removal of deadwood. Tree longevity is open-ended and unrestricted. There is an improbable likelihood of limb or lead of total trunk failures occurring under normal weather conditions over the next 5 to 10 years. There may be no specific mitigation pruning recommended at this time.

Category B) **Highlighted in Orange:** A tree with moderate defects having a reasonable risk of failure. This tree is growing well for its species and location. It may have some minor, obvious faults and defects which would need to be aerially inspected. There may be a possible likelihood of limb or lead failures under normal weather conditions over the next 5 to 10 years. There is an improbable likelihood of total trunk failure over the next 5 to 10 years. These possible failures can, in most cases, be mitigated by prescription reduction or heading pruning procedures. These procedures can reduce the risk of failures to a level of risk that can be considered acceptable by most tree managers. There may be some other specific pruning needs such as crown raising, crown reduction, invasive vine severing, deadwood removal and Spanish moss reduction if present in large amounts, over and above the mitigation pruning recommendations.

Category C) **Highlighted in Blue:** A tree with severe defects and a high risk of failure. This tree is failing to thrive and may be in decline. It has obvious faults, defects, and hazards present that have a probable likelihood of causing limb, lead or trunk failures. Timely prescribed and above normal mitigation pruning may in some cases reduce these hazards and risks of failures to a level that could be acceptable by some tree managers. If mitigation pruning is chosen, monthly inspections by the tree manager and annual inspections by a certified arborist are recommended.

Category D) **Highlighted in Red:** A tree with critical defects and an imminent risk of failure. This tree may already be dead or, if still alive, has severe critical defects and hazards with an imminent likelihood of limb, lead and total trunk failure. No amount of mitigation pruning could reduce any of the risks present to an acceptable level. Depending on occupancy rates of the areas adjacent to these trees, immediate or timely attention is called for.

E. Hazard vs Risk

In the wording of this report, please consider the correct use of the terms hazard and risk in accordance with ANSI A300 Part 9: Tree Shrub, and Other Woody Plant Management – Standard Practices (Tree Risk Assessment and Tree Structure Assessment).

A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruptions – that is, it poses a high or extreme risk.

Risk is the combination of the likelihood of an event and the severity of the potential consequences.

A hazard is a likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.

5.1.4 Recommended Trees and Shrubs

The following commonly found species of trees and evergreen shrubs are listed by category. The lists are not exhaustive and applicants are not required to select species found on these lists.

BROAD-LEAVED OVERSTORY TREES	
American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Ashleaf Maple	<i>Acer negundo</i>
Black Oak	<i>Quercus velutina</i>
Black Gum	<i>Nyssa sylvatica</i>
*Drake Elm (Everclear, Allee or Bosque)	<i>Ulmus Parvifolia</i>
Eastern Cottonwood	<i>Populus deltoides</i>
Honeylocust	<i>Gleditsia triacanthos</i>
*Cathedral Live Oak	<i>Quercus virginiana</i> 'Cathedral'
Laurel Oak	<i>Quercus laurifolia</i>
Live Oak	<i>Quercus virginiana</i>
*Overcup Oak	<i>Quercus lyrata</i> 'Highbeam'
Pecan	<i>Carya illinoensis</i>
Pignut Hickory	<i>Carya glabra</i>
Pumpkin Ash	<i>Fraxinus profunda</i>
*Pyramidal European Hornbeam	<i>Carpinus betulus</i> 'Fastigiata'
Red Maple	<i>Acer rubrum</i>
*Nuttall oak	<i>Quercus nuttalli</i>
Shumard Oak	<i>Quercus shumardii</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Southern Red Oak	<i>Quercus falcata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Sweet Gum	<i>Liquidamber styraciflua</i>
*Trident Maple	<i>Acer buergerianum</i> 'Aeryn'
Water Tupelo	<i>Nyssa aquatica</i>

White Oak	Quercus alba
Willow Oak	Quercus phellos
*Starred trees are recommended for street tree plantings	
CONE-BEARING OVERSTORY TREES	
*Bald Cypress	Taxodium distichum
Loblolly Pine	Pinus taeda
Long Leaf Pine	Pinus palustris
Pond Cypress	Taxodium distichum nutans
Pond Pine	Pinus serotina
Slash Pine	Pinus elliotii
Short Leaf Pine	Pinus echinata
Spruce Pine	Pinus glabra
*Starred trees are recommended for street tree plantings	
UNDERSTORY TREES	
Allegheny Chinkapin	Castanea pumila
American Holly	Ilex opaca
American Plum	Prunus americana
Bigleaf Snowbell	Styrax grandifolia
Bitternut Hickory	Carya cordiformis
Black Cherry	Prunus serotina
Black Willow	Salix nigra
Blackjack Oak	Quercus marilandica
Bluejack Oak	Quercus incana
Buckthorn Bumelia	Bumelia lycioides
Cabbage Palmetto	Sabal palmetto
Carolina Ash	Fraxinus caroliniana
*Carolina Basswood	Tilia caroliniana
Carolina Buckthorn	Rhamnus caroliniana
Carolina Laurelcherry	Prunus caroliniana
Carolina Silverbell	Halesia carolina

Chickasaw Plum	<i>Prunus augustifolia</i>
Coastal Plain Willow	<i>Salix caroliniana</i>
Common Hoptree	<i>Ptelea trifoliata</i>
Common Persimmon	<i>Diospyros virginiana</i>
Common Sweetleaf	<i>Symplocos tinctoria</i>
*Crepe Myrtle	<i>Lagerstroemia indica</i>
*Dahoon Holly	<i>Ilex cassine</i>
Eagleston (a.k.a. Foster) Holly	<i>Ilex attenuata</i> 'Eagleston' or 'Fosteri'
Eastern Coralbean	<i>Erythrina herbacea</i>
Eastern Redbud	<i>Cercis canadensis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Flatwoods Plum	<i>Prunus umbellata</i>
Florida Basswood	<i>Tilia floridana</i>
Florida Maple	<i>Acer barbatum</i>
Flowering Dogwood	<i>Cornus florida</i>
Fringetree	<i>Chionanthus virginicus</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
*Hasse Magnolia (a.k.a. Alta)	<i>Magnolia grandiflora</i> 'Hasse' or 'Alta'
Hercules Club	<i>Anthoxylum clava-herculis</i>
Ironwood	<i>Carpinus caroliniana</i>
Littlehip Hawthorn	<i>Crataegus spathulata</i>
Loblolly Bay	<i>Gordonia lasianthus</i>
Mockernut Hickory	<i>Caryatomentosa</i>
Myrtle Oak	<i>Quercus myrtifolia</i>
*Oklahoma Redbud	<i>Cercis reniformis</i> 'Oklahoma'
Parsley Hawthorn	<i>Crataegus marshallii</i>
Pawpaw	<i>Asimina triloba</i>
Planer Tree	<i>Planera aquatica</i>
Possumhaw Holly	<i>Ilex decidua</i>
Post Oak	<i>Quercus stellata</i>

Red Buckeye	Aesculus pavia
Red Mulberry	Morus rubra
Redbay	Persea borbonia
River Birch	Betula nigra
Hickory	Carya pallida
*Sabal Palm	Sabal palmetto
Sassafras	Sassafras albidum
Sourwood	Oxydendrum arboreum
Southern Bayberry	Myrica cerifera
Southern Crab Apple	Malus angustifolia
Southern Red Cedar	Juniperis silicicola
Sparkleberry	Vaccinium arboreum
Sugarberry	Celtis laevigata
Swamp Cotton wood	Populus heterophylla
Sweetbay	Magnolia virginiana
Tough Bumelia	Bumelia tenax
Turkey Oak	Quercus laevis
Water Hickory	Carya aquatica
Water Oak	Quercus nigra
Waterlocust	Gleditsia aquatica
Witch Hazel	Hamamelis virginiana
*Yaupon Holly, Weeping	Ilex vomitoria 'Pendula'
*Starred trees are recommended for street tree plantings	
SCREENING SHRUBS	
Sasanqua	Cammellia sasanqua
Yaupon Holly	Ilex vomitoria
Chinese Mahonia	Mahonia fortuneiw
Nandina	Nandina domestica
Pittosporum	Pittosporum tobira
Podocarpus	Podocarpus macrophyllus

Indian Hawthorne	Raphiolepis indica
Cleyera	Ternstroemia gymnanthera
Laurestinus	Viburnum tinus
Japanese Viburnum	Viburnum macrophyllum
Elaeagnus	Elaeagnus pungens
So. Indica Azalea	Azalea indica
Burford Holly	Ilex cornuta "Burfordi"
Wax Myrtle	Myrica cerifera
Fatsia	Fatsia japonica
Florida Anise	Illicium floridanum
Pfitzer Juniper	Juniperus chinensis "pfi tzeriana"
Wax Leaf Ligustrum	Ligustrum japonicum
Oleander	Nerium oleander
Breath-of-Spring	Lonicera fragrantissima
Loropetalum	Loropetalum chinense
Juliana Barberry	Berberis julianae
Hedge Bamboo	Bambusa multiplex
Bay Laurel	Laurus nobilis
Banana Shrub	Michelia figo
Sweet Myrtle	Myrtus communis
*Starred trees are recommended for street tree plantings	

5.1.5 Specific Best Practices

Pruning Trees less than 6" caliper shall not be limbed up from the ground more than 7 feet to the lowest branches. For trees 6" caliper and larger, the live crown ratio - ratio of tree canopy height to trunk height - shall be no less than 2:1 (*Example: A 30' tall tree should have a canopy no less than 20' tall and an exposed trunk no greater than 10' tall.*)

Beaufort, South Carolina, The Beaufort Development Code
Chapter 5 – Landscaping, Parking and Lighting

Last revised: 3/03/25

This is for illustrative purposes only and may be changed from time to time. An excel template for this planting schedule, along with typical tree planting details, can be found on the Planning Department's website.

5.2: APPLICABILITY AND ADMINISTRATION

5.2.1 APPLICABILITY

A. General

- (1) **Tree Preservation.** Consistent with the purpose of this section, priority shall be placed on retention of existing trees. All persons shall make all reasonable efforts to preserve and retain any existing Specimen and Landmark trees and established stands or groves of trees.
- (2) **Permit required for removal.** Except as exempted in 5.2.1.B. below, a Tree Permit shall be required to remove or relocate any tree of 8" DBH or more, or a Specimen or Landmark tree, in the City. See Section 5.2.2.A for specific requirements.
 - (a) For single family and 2- and 3-family buildings on existing lots of record, a permit is only required for the removal of Specimen or Landmark trees.
- (3) **Permit required for pruning.** A Tree Permit is required to prune any landmark tree as described in Table 5.3.1.A. Pruning must be done by, or under the guidance of, a certified arborist and shall meet ANSI A300 Standards for pruning.
- (4) **Trees Designated for Retention.** A Tree Permit shall be required for the removal or relocation of any tree previously designated to be retained on an approved development plan.
- (5) **Enforcement.** Failure to comply with the standards of this section shall be a violation of this ordinance and subject to the remedies and penalties specified in Section 12 of the Beaufort Code.

B. Exemptions

- (1) The following activities are exempt from the standards in this ordinance and the requirements for a Tree Permit:
 - a. Removal of severely damaged trees that have an imminent likelihood of failure or pose an immediate risk to person or property following a natural disaster such as a hurricane, tornado, ice or windstorm, flood, wildfire or any other such act of nature.
 - b. Tree removal associated with forestry activities shielded from local development regulation in accordance with S.C. Code Ann. 48-23-205, subject to the limitations on subsequent development in Section 5.2.2.C. below. Forestry activities shall be regulated by a Forestry Management Plan approved by a certified South Carolina Forester.
 - c. Removal of plant species designated as invasive by the South Carolina Forestry Commission, including, but not limited to the following:
 - i. Chinese Tallow (*Triadica sebifera*), Chinaberry Tree (*Melia azedarach*), Callery Pear (*Pyrus calleryana*), Camphor Tree (*Cinnamomum camphora*), Princess tree (*Paulownia tomentosa*)
- (2) No Tree Permit is required where the proposed tree removal or alteration is reviewed and authorized in accordance with an approved Site Development Permit or Building Permit, though compliance with the standards in this section is required.

(3) Residential Lots of Record, as defined in Sec. 5.1.2, are exempt from the replacement planting and mitigation requirements of Section 5.5.2.C. Replacement planting and mitigation for tree removals in conjunction with development of these properties shall be regulated by Section 5.5.2.F. below. All other requirements of this ordinance shall apply to such uses. [to be rewritten]

5.2.2 ADMINISTRATION

Application Procedure. No Project Permit shall be issued, nor any development be commenced, for any site subject to the requirements of this article without an approved plan for all site elements including landscaping, lighting, and parking, as part of a greater development design review process as outlined in Article 9 (Development Review Procedures).

A. Tree Protection Information in Applications

(1) New Development

(a) Applications for a Major Subdivision, Site Plan, Zoning & Building Permit or Certificate of Occupancy shall include at least the following information:

- (i) A Tree Survey verified by a certified arborist, as described in subsection 5.2.2.A.3. below;
- (ii) A brief written narrative of proposed plans for tree protection and justification for proposed removals and replacements, verified by a certified arborist;
- (iii) A complete tree tally sheet listing exact species and diameter of trees on site;
- (iv) For a Major Subdivision/Site Plan, a site plan showing utility lines, grading activities as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X"; and
- (v) A replacement tree replanting schedule, if required by Sections 5.3.2.G and 5.5.2 below.

(b) Applications for a Residential Building (Project) Permit shall include at least the following:

- (i) A Tree Survey;
- (ii) A certified arborist report including all Specimen and Landmark trees; and
- (iii) A site plan showing utility lines as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X."

(2) Existing Development. Applications for pruning or removal of trees on individual developed lots shall include a tree survey and a report from a certified arborist. An exception is granted on developed single-, two-, and three-family lots wherein a scope of work from a certified arborist is only required for removal of a Specimen or Landmark tree and pruning of a landmark tree. A tree survey shall never be required on developed single-, two-, and three-family lots.

(3) Tree Survey. The tree survey shall be in the form of a map or site plan, prepared and sealed by a registered land surveyor within two years of the date of application. The tree survey shall be at the same scale as the required site development plan and shall include the species and DBH of all trees 8" DBH or greater.

- (i) All palmetto trees over eight (8) feet tall shall be measured in height, from the ground to the base of the frond initiation point.

B. Authorization for Tree Removal.

(1) Permit Required. No person shall cause, suffer, permit or allow the following:

(a) The removal of a tree 8" DBH or greater or Specimen or Landmark Tree without first obtaining written authorization, to include all necessary permit(s), from the City to conduct the removal.

(b) Any encroachments, excavations, or change of the natural grade within the critical root zone (CRZ) of a protected tree, unless approved by the Codes Administrator, prior to the commencement of said activity, that the activity will not negatively impact the tree. The critical root zone area shall be defined as the greater of either:

(i) The area extending from the trunk of the tree to the outer-most point of the canopy or drip line; or,

(ii) All of the area starting at the trunk and extending to a distance of one (1) foot for each inch in diameter the trunk measures at four and one-half (4 1/2) feet above ground level.

(2) Criteria. No authorization for the removal of any tree 8" DBH or greater or any Specimen or Landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions in writing:

(a) **Health.** Whether or not the tree is dead, dying, or diseased according to a certified arborist report and verified by the City Official or designee.

(b) **Elevated Risk.** Whether or not the tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.

(c) **Developability.** Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.

(3) Permit Decision. Upon review of a completed application, the Codes Administrator shall approve, approve with conditions, or deny the permit.

(a) The applicant shall be notified of approval or denial, and if denied, informed of the reasons for denial.

(b) Permits may be issued conditionally, provided that the conditions are stated in writing and are appropriately referenced on the permit. Among such conditions may be stipulations that the developer of a site provide legal mechanisms which ensure the protection of Specimen and Landmark Trees after construction has occurred on the development. such mechanisms may include, but not be limited to, conservation easements, common open space requirements, vegetation or tree protection easements or buffers, deed restrictions and restrictions in homeowners' or condominium association documents.

(c) In the event questions or disputes arise concerning tree conditions, the City may call upon and consult with a certified arborist or other qualified professional to reach a decision. All appeals of staff decisions, and other form of administrative relief sought as a result of the application of these standards, shall be the purview of the Zoning Board of Appeals.

(4) Timing. The official shall be notified within five (5) business days prior to tree removal approved as part of a Site Plan.

(5) Permit posting. A copy of the approved tree permit shall be clearly posted on the job site during all phases of clearing and construction activities.

C. Pre-Development Standards. Trees shall be marked with color ribbons, using blue ribbons to mark trees to be preserved, red ribbons for trees to be removed, and orange ribbons for elevated risk trees that are

proposed to be removed (elevated risk trees will not count towards the overall required tree replacement). In heavily wooded areas, the official may allow large groups of trees to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of trees.

D. Penalty for Clear Cutting Prior to Development. Nothing in this section shall be construed as to prevent the practice of forestry, as exempted from local development regulation by S.C. Code Ann. § 48-23-205. Forestry practiced in the City shall be accompanied by a Forestry Management Plan that has been approved by a certified South Carolina Forester.

(1) Two Year Deferral. Prior to approval, if the developer removes any portion of the trees that would have been protected by this section pursuant to a development application, the application shall be deferred for a period of two (2) years after completion of the removal, and the mitigation and replanting requirements of this ordinance shall apply.

(2) Five Year Deferral. If the landowner, developer, and/or operator does not have a Forestry Management Plan, the work was not completed according to the Plan, or transfer of property occurs following the completion of the work, it shall be considered a willful violation of City ordinances and an application for a development permit on any portion of the property will be deferred for five (5) years, and the mitigation and replanting requirements of this ordinance shall apply. [to be rewritten]

E. Tree Protection and Restoration Plan (TPRP).

(1) A TPRP shall be submitted along with all other materials required at the time of application for Preliminary Plat review of a Major Subdivision, Site Plan or when submitting for a Zoning & Building Permit or Certificate of Occupancy. The TPRP shall comply with the requirements of Section 5.3.3 and include the following:

(a) A **tree survey**, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

(b) A **graphic representation** of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

(c) **Notes** specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and,

(d) **Mitigation/replanting.** A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

(e) **Maintenance plan.** All Specimen and Landmark Trees shall be maintained in conformance with the following:

- (i) Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.
- (ii) During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing

compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a Specimen or Landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.

(2) All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

F. Landscaping Installation and Guarantee:

- (1) No certificate of occupancy for any development on a site subject to the requirements of this article shall be issued until all landscaping materials are in place according to the approved plan, or a cash performance guarantee is posted with the administrator for 125% of the cost of the uncompleted landscaping, including labor, as determined by the administrator. The cost estimate shall be prepared by a qualified landscape contractor using prevailing material and labor costs.
- (2) The life of the guarantee shall not exceed 24 months. If the approved landscaping, including ground cover if applicable, is not properly installed within 12 months of the certificate of occupancy, the guarantee shall be forfeited to and used by the city to complete the approved landscaping, with any remaining funds returned to the person who posted the guarantee.
- (3) A maintenance guarantee (for permitted types of guarantees, see Section 7.1.5) equal to 20% of the cost of all required landscaping, including labor, as determined by the administrator based on a cost estimate prepared by a licensed landscape contractor using prevailing labor and costs, shall be held for a period of two (2) years following completion of landscape installation.
- (4) The maintenance guarantee shall be returned only where the landscaping has been surveyed by the city and determined to be in good health. Where any portion of the required landscaping is dead, dying, or significantly declining, the landowner shall be responsible for its replacement prior to release of the guarantee. Where replacement landscaping is required, and such landscaping exceeds 25% of the required project landscaping, the maintenance bond shall be held one additional year to ensure successful installation of the replacement landscaping.

G. Enforcement. Enforcement of this Section shall follow the requirements of Article 12 of this Code.

5.3: TREE PLANTING AND PROTECTION

5.3.1 SPECIMEN AND LANDMARK TREES

- A. [Preservation of Specimen and Landmark Trees. Priority shall be placed on tree preservation and all persons shall make all reasonable efforts to preserve and retain existing ~~Specimen~~ and ~~Landmark~~ trees.](#)
- B. **Designation of Specimen and Landmark Trees:** Certain trees, because of their species and size, are an asset to both the City and individual property owners and are hereby designated as

- 5: LANDSCAPING, PARKING AND LIGHTING
5.3: TREE PLANTING AND PROTECTION

"~~specimen~~Specimen" and "~~landmark~~Landmark" trees. Such trees shall be defined as those trees with a DBH equal to or greater than that indicated in the following table:

SPECIES	COMMON NAME	SPECIMEN TREE (MIN. DBH)*	LANDMARK TREE (MIN. DBH)*
<i>Cornus florida</i>	Flowering Dogwood	4 inches	18 inches
<i>Cercis canadensis</i>	Redbud	4 inches	18 inches
<i>Magnolia grandiflora</i>	Southern Magnolia	4 inches	24 inches
<i>Ilex opaca</i>	American Holly	4 inches	14 inches
<i>Juniperus virginiana</i>	Eastern Red Cedar	12 inches	24 inches
<i>Quercus virginiana</i>	Live Oak	12 inches	24 inches
<i>Sabal palmetto</i>	Cabbage Palm	18 feet tall	36 feet tall
<i>Taxodium distichum</i>	Bald Cypress	16 inches	24 inches
<i>Quercus velutina</i>	Eastern Black Oak	16 inches	24 inches
<i>Nyssa sylvatica</i>	Tupelo/Black Gum	16 inches	24 inches
<i>Quercus alba</i>	White Oak	16 inches	24 inches
<i>Quercus falcata</i>	Southern Red Oak	16 inches	24 inches
<i>Acer rubrum</i>	Red Maple	16 inches	24 inches
<i>Ulmus americana</i>	American Elm	16 inches	24 inches
<i>Pinus palustris</i>	Longleaf Pine	16 inches	24inches
<i>Fagus grandifolia</i>	American Beech	16 inches	24inches
<i>Quercus stellata</i>	Post Oak	24 inches	-
<i>Carya illinoensis</i>	Pecan	24 inches	-
<i>Carya ovata</i>	Hickory	24 inches	-
<i>Liquidambar styraciflua</i>	Sweet Gum	24 inches	-
<i>Quercus laurifolia</i>	Laurel Oak	24 inches	-
<i>Acer pseudoplatanus</i>	Sycamore	24 inches	-
<i>Aliud pini</i>	All other pines	24 inches	-
* DBH = diameter at breast height (or about 4.5 feet above grade)			

B-

5.3.2 TREE COVERAGE REQUIREMENTS

A. **Applicability and Standards:** In addition to the standards laid out in this section and Section 7.2, land or property shall maintain a minimum baseline canopy coverage area as detailed in this Section. .

4. ~~Priority shall be placed on the retention of existing specimen and landmark trees.~~

5. ~~Authorization for Tree Removal: No authorization for the removal of a specimen or landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions:~~

i. ~~Health: Whether or not the tree is dead, dying, or diseased according to a certified arborist report and/or staff evaluation.~~

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ii. **Elevated Risk.** Whether or not the tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.

iii. **Developability.** Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.

6. **Timing.** The official shall be notified 48 hours prior to tree removal approved under a Site Development P

B. Tree Protection With Development: Developers shall avoid any activity during all phases of construction that may result in:

- (1) Mechanical injuries to roots, trunk, and branches
- (2) Injuries by chemical poisoning
- (3) Injuries by grade changes
- (4) Injuries by excavations
- (5) Injuries by paving.
- (6) Any willful action determined to be inconsistent with this standard, and which results in the injury of a ~~specimen-Specimen~~ or ~~landmark-Landmark~~ tree, shall constitute a violation of these regulations.
- (7) Upon completion of construction, or as otherwise approved, the fencing and other measures may be removed to allow for landscaping and final site work, provided all work is either conducted with hand tools, or with machinery utilized in a manner appropriate to protect against soil compaction and other damage to root systems.

E. A Tree Protection and Restoration Plan (TPRP) shall be submitted along with all other materials required at the time of application for preliminary plat review of a Major Subdivision, Planned Development, Tract Home Development, Multi-Family Development, Townhome Development, or Duplex Development. The TPRP shall include the following:

1. All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

a. A tree survey, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

b. A graphic representation of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

c. Notes specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and,

d. A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

F.E. Protective Fencing: The owner shall be responsible for the erection of required protection fencing, and any other specified measures, necessary to protect any existing or installed vegetation prior to the

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commencement of disturbance activity. At a minimum, all trees proposed to be preserved during development shall be protected with a sturdy and visible fence before clearing and grading begins. The following standards shall apply:

1. The location of tree protection fencing and method of construction shall be noted on the landscape plan.
2. Tree protection fencing shall be installed and remain in place and in good condition until all development activities are completed.
3. The tree protection fence shall be located one (1) foot from the tree trunk for each one (1) inch in Tree Diameter Breast Height (DBH) with a minimum distance of ten (10) feet required from the edge of the trunk
4. Tree protection fencing shall be constructed from any material substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the development process.
5. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment is allowed in the tree and root protection area(s) of trees to be retained.

G.F. Tree Replacement: The following standards shall apply to all required tree replacements:

1. Replacement species shall be the same species as each tree removed, provided the removed tree was a native species; all other replacement trees must be listed on the City's approved tree list.
2. Replacement formula: one (1) square foot of replacement canopy (measured at maturity) for one (1) square foot of canopy removed.
3. Single trees may be replaced with two (2) or more trees provided the caliper inch requirements measured at DBH are met.
4. Replacement trees shall be planted within any part of the development site or on City property with staff consultation and approval.
5. If it is determined that a site cannot sustainably support all or a portion of the required tree replacement pursuant to Section 5.5.2.B, then a fee based on the mitigation schedules in Sections 5.5.2.B. or 5.5.2.C shall be paid to the City for the purposes of tree planting and maintenance.

H. Tree Maintenance Plan: All Specimen and Landmark Trees shall be maintained in conformance with the following:

- ~~1. Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.~~
- ~~2. During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a specimen or landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.~~

- I. **Infrastructure:** Utility companies, governmental agencies, and city agencies in the course of constructing or maintaining easements or rights-of-way for water, sewage, electricity, gas, drainage, telephone, or television, if the applicable company or agency, within 12 months after the date of adoption of this Code, has executed an agreement with the city that:
 1. Recognizes the need to minimize trimming of hardwood overstory trees that do not significantly interfere with the intended purpose of construction or maintenance.

2. Establishes, to the extent practicable, design guidelines for construction and maintenance that identify the saving of hardwood overstory trees as a factor to be considered in the design process.
3. Establishes guidelines to avoid limbing, topping, or severe pruning of trees whenever reasonably practicable, and where it is unavoidable, according to ANSI A300 Standards, which may include tree removal.
4. Provides for a consultation process with the city prior to the commencement of major construction or maintenance or the removal of any ~~specimen~~-Specimen or ~~landmark~~-Landmark tree.

J. **Waiver for Emergency:** In the event that a tree poses a threat to public safety due to death, disease, or damage resulting from events including, but not limited to fires, floods, hurricanes, other natural disasters, intentional harm, or negligence, the administrator may waive the requirements of Section 5.4.1. As soon as it is feasible after the waiver, the administrator shall issue written findings outlining the threat to public safety that prompted the waiver. The administrator may require that the owner of the site replace the tree when the findings conclude that the removal was necessitated by intentional harm or negligence.

K. **Normal Tree Maintenance:** Nothing in this Code shall restrict normal tree maintenance by a property owner (including removal of dead wood and branches or limbs that endanger life or property) for any tree except landmark trees upon which any pruning must be done according to Section 5.4.1 A.2.

L. Canopy Standards

All development proposed subsequent to the adoption of section, with the exception of those activities specifically listed herein, shall be subject to the following standards. In the event any proposed development is subject to a zoning district requirement(s) that conflicts with one or more standards contained in this section, the zoning requirement shall govern.

1. **Exemptions:** The following development and activities shall be exempt from the requirements of this section:
 - a. Removal and/or trimming of any tree not identified by these standards as a Landmark or Specimen Tree located on single-family dwelling lots or parcels by the owner.
 - b. Mitigation efforts associated with clean-up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of waiver of the strict application of these standards for a specified period of time.
 - c. Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general public in the ordinary course of business.
 - d. Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.
2. **Required Canopy Coverage for Development:** All proposed non-residential, multi-family residential, and mixed-use development, units anticipated to have a land disturbance area greater than five thousand (5,000) square feet, or to have shared parking and, shall be subject to the minimum canopy coverage area requirements listed in the Minimum Canopy Coverage Requirements table below. Any single-family

residential development consisting of two or less lots (existing single family lots of record are exempt), or existing single family or duplex lots of record, are exempt from the required canopy coverage for development requirements.

Minimum Canopy Coverage requirements	Existing Canopy Percentage
*Residential Developments (Excepting Simple Lot and Minor Subdivisions)	25%
Commercial Developments	30%
T-5 UC Transect only	15%
Encroachments	The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or landmark-Landmark of specimen tree, or the tree protection zone of any such tree.
Parking Reduction	The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8 b, including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a specimen-Specimen or landmark-Landmark tree.
Fenestration/Transparency	Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T-5 UC district.

3. **Canopy Coverage For Development Calculation:** For the purposes of this section, the canopy coverage area of a tree shall be defined as the area contained within the boundary established by a vertical projection along the outermost limit of the tree's crown at maturity. The canopy area cannot include any wetland or required drainage area within its calculation. The canopy coverage area of a parcel or development site shall be defined as the total of all non-conifer tree canopy areas, retained and/or planted, proposed to exist post - development. The following methods may be used to determine the tree canopy area:

- a. **To Establish Existing Tree Canopy Area**

For each **mature tree** proposed to be retained post – development, the radius (r) of the canopy area shall equal the distance from the center of the trunk to the outermost point of the tree's crown. Calculate the

total canopy area (CA) with the following formula: $CA = \pi r^2$. In the event existing site conditions are accurately reflected on aerial photography, the radius (r) may be determined through scaled measurements.

b. To Establish Tree Canopy Area for Trees Proposed to be Planted

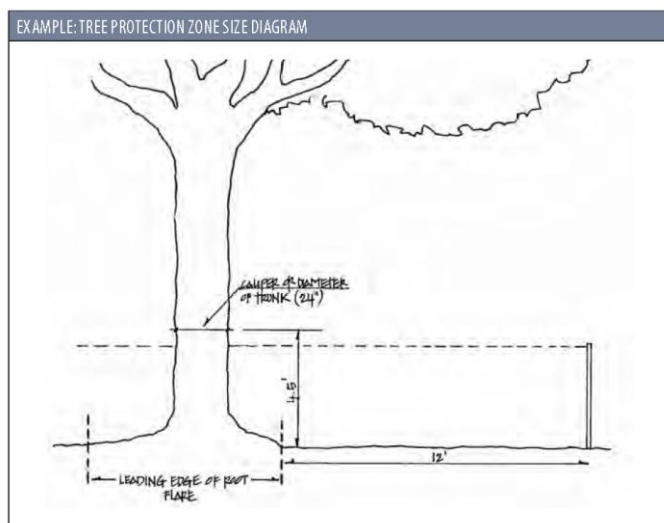
To determine the canopy area proposed to be planted, the radius (r) of each species of tree to be utilized, at twenty (20) years maturity, shall be determined based on accepted industry standards, and the total canopy area (CA) calculated ($CA = \pi r^2$).

c. Alternative Methods

The Codes Administrator may approve other methods of calculation or sources of information, provided such alternatives are based on accepted industry practices, and utilize the best available information.

5.3.3 TREE ROOT PROTECTION ZONE (TPZ) REQUIREMENTS

- A. **Applicability:** A permanent "tree protection zone" (TPZ) surrounding preserved trees shall be established to protect the underground root system. This area shall not be disturbed at any time before, during, or after construction.
- B. **Size and Shape:** The minimum TPZ shall be as follows:
 1. A circle with a radius of ½ foot per 1 inch of DBH, ideally measured from the leading edge of the root flare.



2. The TPZ shall be indicated on both site and landscape plans for all trees shown to remain.
- C. **Adjustments and Exceptions:**
 1. The size and shape of the TPZ may be adjusted where any of the following occur: root pruning, root invigoration, restoring the natural grade of the soil, W.A.N.E. feeder, porous paving materials, and/or a tree well.

-
- 2. The size and shape of the TPZ may be adjusted as needed to accommodate construction practices. The reduction of minimum radius of TPZ may require additional remediation measures as recommended and performed by a certified arborist prior to site disturbance.
 - D. **Tree Wells:** In general, tree wells are discouraged, but if they are used, a well shall encompass at least half the area beneath the canopy of the tree and extend in every direction, no less than halfway from the trunk to the tree's dripline. Tree root aeration system shall be installed that shall extend from 2 feet inside the tree well wall to the dripline of the canopy.
 - E. **Pre-Construction Treatment:** Based on the certified arborist report, the following may be required to retain trees and facilitate their health during and after the construction process: root pruning, fertilization, and root invigoration. These practices, as applicable, shall be performed a minimum of 3 months prior to site disturbance.
 - F. **Prohibited Activities:** The following are prohibited within all TPZs:
 - 1. Placement of building materials, dirt, debris, oils, paints, or any other materials, equipment, or vehicles.
 - 2. Irrigation pipe installation.
 - 3. Grading, with the exception of a 2-inch cut or 2-inch fill of topsoil, sod, or mulch.
 - 4. Paving for roadways, driveways, or sidewalks.
 - 5. Cutting of roots for installation of utilities or drain pipe of any kind.
 - 6. **Exception:** If excavation work for water line installation within a TPZ is deemed necessary during construction operations, such excavation shall be accomplished utilizing hand excavation methods that remove soil around tree roots without severing them.
 - H. **Damages and Reparations:** When encroachment or construction activity within a TPZ has damaged or destroyed a tree or tree growing site, the city, at the discretion of the Administrator, may seek mitigation for the value of any damaged trees within a TPZ, per the Mitigation Schedule in Section 5.6.3, and/or may require treatments or additional plantings. Such mitigation shall occur prior to the issuance of a Certificate of Occupancy.

5.3.4 STREET TREE PLANTING REQUIREMENTS

Street tree planting requirements are established in Section 7.2.5.

5.4: PERIMETER LANDSCAPING AND SCREENING

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Buffers that are required for protection of environmentally-sensitive areas are prescribed by Section 8.1 (Resource Protection Standards).

5.4.1 BUFFER REQUIREMENTS

Landscaped perimeter buffers shall be preserved or established along the front of the sites located within Conventional Districts, and along the side and rear boundary lines along all districts as indicated in the following chart. The buffers are based upon the parcel's zoning district and the District the parcel abuts. Where the buffer

requirements in this table are in conflict with the corridor buffer requirements in Section 5.4.1 B., the greater buffer width and/or plantings shall apply.

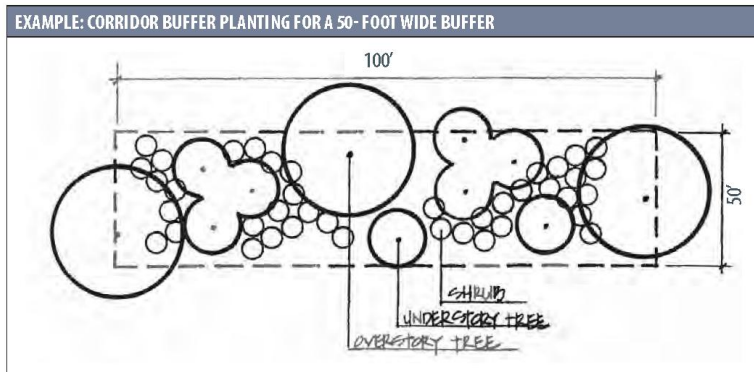
REQUIRED BUFFER WIDTH AND PLANTING				
District of Proposed Development	*Abutting Use or District	Minimum Width for Side and Rear Buffers	Front Buffer Planting Requirements	Side and Rear Buffer Planting Requirements
LI (Industrial)	All Districts (except LI)	25 ft min.	None, except along the corridors listed in Section 5.4.1 B.	See Section 5.4.1 A.
RMX (Regional Mixed Use)	All Transect-Based Districts, any county residential district	15 ft min.		
All Other Conventional Districts	All Transect-Based Districts, any county residential district	5 ft min.		
T4-N & T5-UC	T3, T4-HN, any county residential district	5 ft min	None - street trees may be required depending on street section designation in Appendix C.	Same requirements as Section 5.6.8 A.
T4-NA	T3, any county residential zoning district	Use-dependant - See Section 3.9	None	Same requirements as Section 5.6.8 A.
<i>* If the parcel is abutting another district other than the district listed in the chart, no buffers are required.</i>				

- A. **Side and Rear Buffer Planting Requirements:** At least 3 broad-leaved overstory tree shall be preserved or planted in, or in close proximity to, each side and rear buffer for every 100 linear feet of buffer or portion thereof.
1. **Exceptions:**
 - a. If site conditions are inappropriate for an overstory tree, see Section 5.6.1 K.
 - b. Three existing Cone-Bearing overstory trees (see Appendix A) may be counted to meet the requirements for one broad-leaved overstory tree.
 - c. **Specific to Fuel Sales/Car Wash Facilities:** On any property line where fuel pumps are not screened by a building, 3 additional broad-leaved overstory trees, or 6 understory trees, shall be required for every 100 linear feet of frontage or portion thereof. See Section 4.5.12 for additional design standards for these building types.
 - d. If a rear alley or connection to an adjacent parcel is provided, the administrator may reduce or waive buffer requirements to accommodate adequate connections.

- B. **Corridor Buffers:** In addition to the Conventional District buffer requirements above, buffers shall be provided along all parcel boundaries that abut the major thoroughfares established in the following table.

CORRIDOR BUFFER REQUIREMENTS - FRONT BUFFER WIDTH AND PLANTING				
Location	Required Buffer Width	Number of Trees/Shrubs Required per 100 ft of Frontage		% of Buffer Area
		Broad-Leaved Overstory Trees	Understory Trees	Shrubs
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Broad River Bridge	50 ft min.	3	8	25% coverage
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Boundary Street Redevelopment District	20 ft min.	3	6	25% coverage
Parris Island Gateway (US 21)	20 ft min.	3	6	25% coverage
Sams Point Road (SC 802)	20 ft min.	3	6	25% coverage
Trask Parkway (US 21 northwest of Parris Island Gateway)	15 ft min.	3	6	25% coverage

The administrator may waive or alter these requirements based on the design of the building and how it addresses the street.



- C. **Maintenance of Required Plantings:** Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the front buffer, except in accordance with standard horticultural practice, or as required at driveway sight triangles. See Appendix A for more information on best practices for pruning. See Section 5.4.1 A.2. for pruning permit requirements.

D. **Existing Vegetation**

1. If a buffer area has existing trees, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this Ordinance. Where groupings of native shrubs are present, their preservation with minimum disturbance is required. Any clearing or other work in buffers must have the prior approval of the Codes Administrator.
2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with Section 5.2 A 7 during development activity.
3. Existing vegetation that is preserved shall not be limbed up from the ground more than five feet to the lowest branches, except
 - a. Vegetation at intersections may be limbed up to a greater height to ensure compliance with Sight Triangles; and
 - b. If understory planting is proposed, the Official may allow existing vegetation to be limbed up to a height that will provide adequate sunlight to plants.
4. The removal of invasive species shall be allowed with an approved replanting plan, if needed.

E. **Buffer Materials**

At the time of planting, overstory and understory trees included as part of required buffers shall be no less than 2.5 caliper inches; evergreen shrubs shall be at least three feet in height above ground level. All buffer plantings must be native species of plants,

- F. **Development Within Required Buffers:** Development is prohibited within required buffers except in accordance with this subsection. The following activities may occur in required buffers, unless expressly prohibited elsewhere in this Ordinance:
- a. Street or driveway access, provided it runs approximately perpendicular to/from the adjacent street right-of-way or common property line.

b. Walkways, pathways, trails, benches, bike racks, and other elements associated with passive recreation or the provision of continuous pedestrian and bicycle connections between adjoining properties, provided all landscaping as required by this Section is provided and the Codes Administrator determines that installation or maintenance of such elements will minimize impacts on to required vegetation to the maximum extent.

c. Lighting fixtures.

d. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.

e. Signage, lighting fixtures, and street furniture.

f. Fountains, plazas, sculptures, and similar features that are part of publicly owned facilities, where approved by the Codes Administrator.

g. Service and utility lines and minor facilities (e.g. water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage lines, utility boxes and pedestals), subject to the following standards:

i. Such lines generally shall run approximately perpendicular to/from the adjacent street right-of-way or common property line. If they must be installed approximately parallel to the street right-of-way or property line, the easement for the lines may be included as part of a required buffer if the easement allows the vegetation or structures necessary to meet buffer screening requirements and provides the requisite visual separation in a manner that is aesthetically acceptable; otherwise, additional buffer width shall be required to provide the space needed for the required buffer screening.

ii. Permission for easement and right-of-way disturbance and clearings for such utility and service lines and facilities shall be more favorably considered when such activity is consolidated with vehicular access routes.

5.4.2 BUILDING PERIMETER LANDSCAPING (FOUNDATION BEDS)

A. **Applicability:** The following provisions for building perimeter landscaping (i.e., foundation beds) shall apply to all buildings in the RMX and IC Districts, except single-family and two-family dwellings.

B. **Requirements:**

FOUNDATION BED REQUIREMENTS BY BUILDING HEIGHT					
Building Height	Minimum Width	Minimum Length (as percentage of building)		Vegetation Coverage ¹ (as percentage of foundation bed)	
		Front	Side/Rear	Front	Side/Rear
1 Story	5 ft	67%	50%	67%	50%
≥ 2 Stories	8 ft	67%	50%	67%	50%
¹ <i>Trees, shrubs, flowers, or other plant materials may be used to satisfy vegetation coverage requirements. % of coverage is at maturity — see Section 5.5.1 D.3.</i>					

1. **Edges:** All building perimeter landscape areas shall be protected from overhanging vehicles by curbs or wheel stops.

2. **Sidewalks and Handicap Ramps:** Depending on the building design and orientation, sidewalks and handicap ramps may be placed within the designated building perimeter landscape area. In

these instances, the administrator may require that some or all of the required foundation planting are mitigated elsewhere on the site.

3. **Pedestrian Coverings:** If awnings, colonnades, arcades or galleries are incorporated into the building design, landscaping may be reduced or eliminated.

5.5: LANDSCAPE INSTALLATION AND MAINTENANCE

5.5.1 GENERAL REQUIREMENTS

- A. Trees planted shall be botanically compatible with local conditions, healthy, and disease-and pest-free. Plant materials shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" (ASNS).
- B. Irrigation shall be required in all new development unless the Administrator specifically waives this requirement, based on the unique character of the development and/or the nature of the proposed plant material.
 1. **Exception:** New construction in T3 zones, and single-family residential construction in T4 zones on new or existing lots, is not required to have irrigation.
- C. Landscaping shall be maintained in good condition and shall be kept free from refuse and debris.
- D. Installed trees must adhere to the grades and standards outlined in the ASNS. The minimum size at installation of all trees and shrubs planted pursuant to the requirements of this Code is as follows:
 1. **Overstory trees:** 2.5 caliper inches (measured at 6 inches above grade).
 2. **Understory trees:** 8 feet high.
 3. **Shrubs:** Shrubs must be reasonably projected to grow to maturity (i.e., to meet specific size or coverage requirements) within 3 years, unless otherwise specified herein.
- E. Existing healthy shrubs and trees may be used to satisfy any requirements of this Code, provided they meet the minimum size requirements outlined in Section 5.5.1 D.
- F. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rain water, is encouraged. Preservation of groupings of trees (e.g., tree save areas) is encouraged and generally favored over preservation of scattered individual trees.
- G. Where understory trees are specified, preserved, or planted, broad-leaved overstory trees may be substituted on a one-to-one basis to satisfy the requirement.
- H. In conjunction with any development, grass or ground cover shall be planted, or mulch installed to a depth of 3 inches, on all portions of exposed bare ground not otherwise developed or landscaped. This shall include planting strips and other areas within rights-of-way that are contiguous to the development site. Grass and/or ground covers shall provide 75% coverage within 1 calendar year from the time of planting. Gravel or crushed shell may be approved as an acceptable ground cover if it is coordinated with the overall site and landscape design; however they shall not be used as a substitute for organic mulch in plant beds. The use of dyed hardwood or synthetic material is prohibited.
- I. All earthen drainage structures with a maximum gradient of 3:1 may be hydroseeded or sodded. Ditch and pond banks with slopes greater than 3:1 shall be treated with erosion control fabric or matting and/or receive erosion resistant landscaping materials such as ground covers or wetland plant species.

- J. Landscaping shall not obstruct the view of motorists using any road or driveway.
- K. Where site conditions are inappropriate for an overstory tree, due to existing utilities, building design, or other conflicts either above or below ground, up to 2 understory trees may be substituted for 1 overstory tree.
- L. Severe trimming, pruning, or other maintenance that results in significant alteration of the natural shape of a tree or modification of the central leader (including "lollipoping," "heading," or similar techniques) is prohibited, except in conjunction with public utility maintenance.

5.5.2 REPLACEMENT PLANTING AND MITIGATION

- A. **Applicability:**
 - 1. Where the administrator approves removal of trees for new development.
 - 2. Where any vegetation, existing or proposed, used to comply with the requirements of this section, does not survive in a healthy condition.
 - 3. When a tree protected under this ordinance is removed from a property without permission from the administrator, is significantly damaged during construction, or significantly declines and is recommended for removal by a certified arborist at the end of the two-year maintenance guarantee period.
- B. **Replacement Planting and Mitigation:** The tree mitigation fee is established to allow tree planting elsewhere in the City in cases where the requirements for retention of existing trees cannot be achieved. Where a certified arborist determines that a site cannot sustainably support all, or a portion of, the required replacement, due to the size and shape and/or structures and/or viable site constraints, a fee based on the mitigation schedules in subsections 5.5.2.C. or 5.5.2.F. below shall be paid to the City for the purposes of tree planting and maintenance.
- C. **Replacement and Mitigation Schedule:** With the exception of Residential Lots of Record, replacement plantings & mitigation shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$500	100%	\$500
Specimen Tree*	100%*	\$250	100%*	\$250
All other trees 8- inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and the mitigation cost per caliper inch to be doubled.				
Examples				
Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (12 inches x \$250/inch) if the site cannot support the replacement.				

Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$15,000 (30 inches x \$500/inch) if the site cannot support the replacement.

(1) **Timing of Fee Payment.** All required tree mitigation fees shall be paid prior to issuance of a Site Development Permit or Building Permit.

(2) **Tree Replacement Fund.** The City shall establish and maintain a separate accounting fund for the deposit of tree mitigation fees paid in lieu of providing required replacement trees. Such funds need not be segregated from other City monies for banking purposes. Any yield on such accounting fund shall accrue to that fund and shall only be spent on trees on publicly owned and maintained property.

Qualifying debits include the cost of trees, installation of trees, and maintenance of trees.

D. The provisions of this section shall apply to all projects, regardless of the date the Site Development Permit or development approval was issued.

E. Exemption. Any ~~specimen~~ Specimen or ~~landmark~~ Landmark tree that fails due to a natural catastrophe shall be exempt from the requirements of this section.

F. **Replacement and Mitigation Schedule for Residential Lots of Record.** Replacement plantings and mitigation on Residential Lots of Record shall be according to the following chart:

Commented [JW1]: I understand council wants single family exempt but wanted to provide what it could look like if the City were to follow Port Royal which is proposing reduced fees with this type of development

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$100	100%	\$100
Specimen Tree*	100%*	\$50	100%*	\$50
All other trees 8- inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and the mitigation cost per caliper inch to be doubled.				
Examples				
Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$600 (12 inches x \$50/inch) if the site cannot support the replacement.				
Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (30 inches x \$100/inch) if the site cannot support the replacement.				

5.6: PARKING

5.6.1 PURPOSE

The purpose of this section is to regulate and ensure the provision of adequate parking and access for bicycles and motor vehicles. The section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the community.

5.6.2 APPLICABILITY

The parking standards of this section shall apply to new developments and when a structural alteration in an existing building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity.

5.6.3 BICYCLE PARKING

- A. **Applicability:** Bicycle parking is required everywhere except in the T3 zoning district, in T4 districts in detached single-family residential developments, and in the LI district. In the T5 district, the administrator has the authority to waive the bicycle parking requirement if it is not appropriate or feasible.
- B. **Location and Configuration:** Bicycle parking shall be placed in a usable and accessible location. The rack(s) shall be placed so that neither the rack nor the bike within it blocks pedestrian or vehicular access ways and shall be maintained and kept clean and in proper working order at all times.
- C. **Size:** Developments shall provide either racks for 5% of the number of required off-street vehicular parking spaces or 2 bicycle parking spaces, whichever is greater. Spaces shall be a minimum of 2 feet by 6 feet.

5.6.4 PARKING SPACE REQUIREMENTS

- A. **Minimum Number of Parking Spaces:** The number of motor vehicle parking spaces required shall be determined by the table below. Uses not listed in the following chart shall use the parking requirement for the most similar use, as determined by the administrator.

USE	MINIMUM NUMBER OF MOTOR VEHICLE PARKING SPACES REQUIRED	
	CONVENTIONAL DISTRICTS	TRANSECT-BASED DISTRICTS
RESIDENTIAL		
Single-Family, and Short-Term Rental	2 per unit	

2- and 3-Family, Multi-Family and Accessory Units		
Studio	1 per unit	
1 Bedroom	1 per unit	
2 Bedrooms	1.75 per unit	
3+ Bedrooms	2 per unit	
Dwelling units located within mixed-use buildings	No spaces required	
Group Homes	1 per 3 bedrooms	
RETAIL		
Gas Stations/Fuel Sales	1 per employee, plus requirements for retail and/or service bays	1 per 400 gross square feet
Restaurant, Cafe, Coffee Shop, Bar, Tavern and Nightclub	1 per 4 seats,* plus 1 per every 2 employees (at max. shift, typical) *Only interior seats are counted unless the business only has exterior seating.	1 per 400 gross square feet
Drive-Through Facilities	1 per 4 seats* plus 1 per every 2 employees *Only interior seats are counted unless the business only has exterior seating.	1 per 400 gross square feet
All Other Retail Uses	1 per 300 gross square feet	1 per 400 gross square feet
RECREATION, EDUCATION, PUBLIC ASSEMBLY		
Colleges and Universities	1 per 4 students at capacity class attendance	
Community/Public Safety Facilities	1 per 300 gross square feet	1 per 400 gross square feet
Schools, Public or Private		
Grades K-8	2 per classroom	1 per 400 gross square feet
Grades 9-12 or Trade	1 per 4 students and employees	1 per 400 gross square feet
Theaters	1 per 4 seats, plus 1 per 2 employees	1 per 400 gross square feet
All Other Assembly Uses		
With Fixed Seats	1 per 5 seats	1 per 400 gross square feet
Without Fixed Seats	1 per 300 gross square feet	1 per 400 gross square feet
SERVICES		
Day Care (Child or Adult) - 5 or greater	1 per 10 persons cared for (child or adult)	1 per 400 gross square feet

Lodging	1 per room, plus spaces required for on-site accessory uses	1 per 2 rooms
Medical		
Doctor's Offices	1 per 300 gross square feet	1 per 400 gross square feet
Other	1 per 2 beds, plus 1 per staff, plus 1 per 4 employees	1 per 400 gross square feet
All Other Service Uses	1 per 300 gross square feet	1 per 400 gross square feet
INDUSTRIAL	No minimum number of spaces	

B. Credits for On-Street Parking:

- On-street parking spaces along the lot frontage may count toward the minimum number of required parking spaces if needed.
- For multi-family dwellings over 3 units, and for commercial buildings over 4,000 square feet, adjacent existing on-street parking within 400 feet from the property line may be used to count toward the on-site parking requirement if needed.
- Where on-street parking does not exist, additional on-street parking spaces meeting City standards (see Appendix C) may be constructed to fulfill all or part of the on-site parking requirement. This must be approved by the Technical Review Committee and any outside agencies, as appropriate.
- On a block face where formalized on-street parking is available, single-family and 2-family dwellings, and nonresidential uses with less than 4,000 square feet of space, and any structure listed as "Contributing" on the "1997 Beaufort County Above Ground Historic Resources Survey," or most recent historic survey, shall be exempt from these off-street parking requirements.

C. Maximum Number of Parking Spaces: The maximum number of off-street parking spaces shall be as follows:

- For buildings with a footprint less than or equal to 60,000 gross square feet, no more than 140% of the required minimum number of parking spaces are permitted.
- For buildings with a footprint greater than 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted.
- Exceptions:**
 - Parcels in the LI district are exempt from these requirements.
 - Parcels in the Boundary Street Redevelopment District are exempt from these requirements. See Section 2.7.3 E. for requirements in this overlay district.
 - Group Housing or Multi-Family buildings built specifically to accommodate student housing are permitted a maximum of 1 parking space per bedroom, plus an additional 125% for guest parking.
 - Uses within the IC district.

D. Off Site Parking: Required parking may be provided off site if the following standards are met:

- Required parking may be provided in off-street parking facilities on another property within 250 feet of the site proposed for development, as measured along street rights-of-way. Parking

further than 400 feet may be approved by the Administrator if it is in conjunction with a plan to provide access to the lot (e.g., shuttle service).

2. In any transect-based district, required parking may not be located along a major thoroughfare without being screened from the street by buildings.
3. Pedestrian access between the use or the site and the off-premise parking area shall be via a continuous sidewalk or walkway, not separated by a street.
4. The owner shall provide a written parking agreement reflecting the arrangement with the other site.

5.6.5 PARKING EXCEPTIONS

- A. In the T5-DC District, all nonresidential uses, except for motels/hotels/extended stay guest accommodations, shall be exempt from the off-street parking requirements of this section. Where such uses elect to provide off-street parking, it shall meet the design requirements of this section.
- B. Any structure being reoccupied that is listed on the city's "Vacant and Abandoned Structures" list shall be exempt from these off-street parking requirements if on-site parking cannot be accommodated.
- C. In the Boundary Street Redevelopment District, see Section 2.7.3 E. for parking requirements.

5.6.6 SHARED PARKING AND PARKING REDUCTIONS

- A. **Shared Parking—Two Uses:** When 2 use types share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the 2 uses separately, divided by the factor listed in the table below.

SHARED PARKING FACTOR FOR TWO USES				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

EXAMPLE: A mixed-use building that typically requires 10 residential spots and 20 retail spots may be reduced as follows: $(10+20) / 1.2 = 25$ spots. This is a 5-spot reduction due to the shared parking factor.

- B. **Shared Parking—Three or More Uses:** When 3 or more use types share common parking facilities, or if a use type is not listed in Table 5.7.4.A, the amount of required parking may be reduced as appropriate in accordance with Section 5.7.6 C. below.
- C. **Parking Reductions:**
 1. The Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:
 - a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use — for the entire development to justify the shared use of parking spaces for separate uses.

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- b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Section 5.7.4.
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.
 2. The Administrator shall consider the following in determining whether a reduction is warranted:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand.
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow.
 - c. The impact of periodic overflows upon the public streets and other parking facilities.
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.
 3. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

5.6.7 PARKING LOT DESIGN

A. General Design Standards:

1. **Design:** Parking stalls shall be located in areas that will not require backing into access driveways or streets, except where allowed for residences, or when no other practical alternative exists, as determined by the administrator.
 - a. **Parking Stall Dimensions:** Off-street parking spaces shall be at least 9 feet wide by 18 feet long, exclusive of access or maneuvering spaces. Up to 20% of compact car spaces, a minimum of 8 feet wide by 15 feet deep, are permitted.
 - b. **Travel Lane Dimensions:** Travel lanes shall not exceed 24 feet wide for 2-way traffic, except in specific areas that may require additional room for truck access. A minimum of 20 feet clear between parking spaces shall be provided for 2-way traffic. One-way traffic may be permitted to have travel lanes width reduced to 16 feet if approved by the fire marshal.
2. **No Storage:** Minimum parking areas shall be kept free of material storage, including portable containers, and outdoor display/sales, except on a temporary basis as part of an approved Temporary Use (see Section 3.13).
3. **Maintenance:** Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, and potholes.
4. **Identified as to Purpose and Location:** Off-street parking areas with 4 or more spaces, and off-street loading areas, shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces from aisle and other circulation features.
5. **Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, grass, or other vegetative surfacing. Such parking lots shall delineate parking spaces with a wheel stop or vegetative buffer.
6. **Front Yard Parking:** Where Section 7.2.3 (Lot Access Standards) permits driveways, they may be used for front yard parking areas, but the width of such front yard parking areas shall be limited to the driveway width specified in that section.

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- 7. **Shopping Cart Storage:** Up to 4 spaces for shopping cart storage may be provided. Any additional spaces shall count towards the maximum number of parking spaces, if applicable.
 - B. **Pedestrian Corridors in Parking Lots:** Parking lots with 40 spaces or greater shall be designed to separate pedestrian travel from vehicles. They shall include designated pedestrian walkways to provide safe access to building entries for pedestrians.
 - 1. Perimeter sidewalks — typically located on public rights-of-way— and/or interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.
 - 2. Pedestrian pathways (if provided) shall be a minimum 5 feet in width.
 - 3. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway shall be provided, following the shortest practical route across the parking lot between at least 1 such entrance on each side of the building facing a public street.
 - 4. Pedestrian pathways shall be clearly delineated. This may be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.
 - C. **Connectivity:**
 - 1. Wherever feasible, adjoining parking lots (except those serving residential buildings of less than 4 units) shall be interconnected, or designed to interconnect in the future.
 - 2. Where a parking lot connection is provided, an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Beaufort County Register of Deeds.
 - 3. When parking lots are connected, one of more of the following incentives may be utilized, at the discretion of the applicant:
 - a. The side or rear setback adjacent to the connection may be reduced to 5 feet.
 - b. An additional 10% of parking spaces over the 140% maximum may be provided.
 - c. Impervious surface may be increased by 5%.
 - D. **Materials:**
 - 1. Parking spaces and driveways shall be paved with a material that supports the anticipated load and context. Pervious or semi-pervious paving materials are encouraged. Where possible, such materials shall be used in combination with on-site stormwater control devices.
 - 2. Parking provided above the minimum required parking spaces shall be with a pervious material.
 - E. **Accessible Parking:** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).
 - F. **Tandem Parking and Residential Driveways:** See Section 7.2.3 D.2.b.

5.6.8 PARKING LOT SCREENING AND LANDSCAPING

- A. **Screening:** All parking areas shall be screened from the public right-of-way or primary vehicular access point(s) — if the parking area does not front a public right-of-way — with evergreen shrubs, walls, fences, or some combination thereof. Screening is not required at areas designated for signage, or pedestrian or vehicle access points. Screening devices shall be installed at the height and opacity specified in the table below:

LOCATION	MINIMUM REQUIRED OPACITY AT PLANTING ¹	SHRUBS		WALL/FENCE
		Installation Height ³	Projected Height within 4 Years	Installation Height ²
Beaufort Historic District Overlay	90%	3 ft	4 ft	4 ft
All Other Areas	50%	2 ft	4 ft	4 ft
¹ The area bounded by the shrub at its projected size in 3 years shall be deemed to be practically 100% opaque.				
² Height is measured from adjacent sidewalk, street or curb grade, whichever is higher.				

B. Landscaping:

1. **Applicability:** This applies in all Conventional Districts except LI, and all T4 and T5 districts where the parcel is greater than 2 acres. In T4 and T5 districts where the parcel is less than 2 acres, all parking requirements listed below are applied as “should” rather than “shall.”
2. **Priority:** In parking lot design, priority should be given to working around existing trees, and then secondarily creating areas where new plantings would be required.
3. **Landscaped Peninsulas and Medians Shall be Established as Follows:**
 - a. **Size:** Landscaped peninsulas with a plantable area of at least 12 feet wide by 18 feet long area shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
 - b. **Planting:** At least 1 broad-leaved overstory tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. See Appendix A for recommended plantings list.
 - c. **Specific to Transect Zones:** No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula, except in the following circumstances:
 - i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped, or
 - ii. There is a landscaped median meeting the requirements in 5.7.8.B.3.d.iii and iv.
 - d. **Specific to Conventional Zones:**
 - i. No more than 10 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula.
 - ii. On the interior of parking lots, landscaped medians between all head-to-head” rows of parking are required.
 - iii. Where wheel stops are to be used for the protection of landscaped medians, the minimum median width shall be 6 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, and shrubs that have a mature height and spread of 4 feet or less.

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- iv. Where wheel stops are not used for the protection of landscaped medians the minimum median width shall be 9 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, understory trees and/or shrubs which have a mature height and spread of 5 feet or less.
 - v. Shrub coverage in the medians and peninsulas shall be at least 50%.

5.6.9 STRUCTURED PARKING

See Section 4.5.11.

5.6.10 PARKING OF SPECIFIC VEHICLES

- A. **Parking, Storage or Use of Campers or Other Major Recreation Equipment:**
 - 1. No major recreational equipment shall be parked or stored in any T3 or T4 district in a manner which poses a nuisance, or constitutes a hazard. When parked in a permanent location, such equipment shall observe all setbacks, yard, and other requirements set forth within the districts in which they are located.
 - 2. Parking or storage of recreational equipment shall not be permitted in any district between the street and the building face. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in any location not approved for such uses.
- B. **Vehicles Without License Plates:** Any vehicle or trailer of any kind requiring licenses, but without current plates, shall not be parked other than in completely enclosed buildings.
- C. **Commercial Vehicles:**
 - 1. Trucks, tractors, or tractor-trailers having a capacity of more than a 8,000 pound load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in a T3 or T4-HN district for purposes other than unloading, loading, or delivery services.
 - 2. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (1 per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this section.

5.7: LIGHTING

5.7.1 PURPOSE

The standards set forth in this section are designed to:

- A. Ensure that all site lighting is designed and installed to maintain adequate lighting levels on-site;
- B. Prevent excessive light spillage and glare directed at adjacent properties, neighboring areas, and motorists; and
- C. Provide security for people and land.

5.7.2 APPLICABILITY

The provisions of this article shall apply to all development with the following exemptions:

- A. All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Code.
- B. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
- C. Individual residential lighting that is not part of a site plan, street section, or outdoor lighting plan for any other common or public area, provided that it does not extend past the boundaries of that property. Security lighting on residential property must comply with Section 5.8.6.
- D. Lighting associated with landscape/holiday/festive/temporary uses.
- E. Lighting of public art that has been permitted or otherwise approved by the city.
- F. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare.
- G. All fixtures installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets.
- H. Lighting of U.S. Flags, provided the flag standard does not exceed the maximum permitted building height for that district.

5.7.3 GENERAL STANDARDS FOR EXTERIOR LIGHTING

- A. **Hours of Illumination:** Public and institutional uses, commercial uses, and industrial uses (heavy and light) that are adjacent to existing residential development or vacant land in the RMX, T1, T3-E, T3-S, and T3-N Districts shall turn off all exterior lighting by 10:00 p.m. or within 1 hour of closing, whichever occurs first, with the following exception:
 - 1. Lighting that is necessary for security or emergency purposes – meaning the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas-may be turned on at all times. Additional standards for security lighting are in Section 5.8.6 (Security Lighting).
- B. **Illumination Direction:** In all districts, lighting shall be directed downward. In addition, upwardly directed lighting shall not be used to illuminate structures, except for low-wattage architectural lighting.

5.7.4 DESIGN STANDARDS FOR EXTERIOR LIGHTING

- A. **Maximum Lighting Height:** For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the top of the light post, not including the fixture.
 - 1. In pedestrian oriented areas, the height of the light post shall not exceed 15 feet above grade.
 - 2. In auto-centric areas, such as parking lots which support shopping centers, large retailers, or manufacturing sites, etc., the height of the light post shall not exceed 30 feet above grade.
 - 3. Wherever possible, outdoor seating areas, building entrances, and walkways shall be illuminated using ground mounted fixtures not more than 4 feet tall.

4. In historic districts, light poles exceeding 15 feet above grade must be approved by the Historic Review Board.
- B. **Shielding:** Light fixtures in excess of 1,800 lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project site onto adjacent lands and streets.
- C. **Maximum Illuminance Levels:** Requirements in the following table shall apply only to light trespass into parcels in T3 and T4 zoning districts at the property line.

TYPE OF USE	MAXIMUM ILLUMINANCE AT PROPERTY LINE
Agricultural, Residential, Day Care-Child or Adult, Community Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities	0.5 foot-candles
Retail, Recreation, Education, Public Assembly (except Community-Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities), and Services (except Day Care-Child or Adult)	2.5 foot-candles
Industrial and Transportation, Communications, Infrastructure	2.5 foot-candles
Vehicular Use Areas (Note: Minimum illuminance level at the edge of the vehicle use area shall be 0.2 foot-candles.)	2.5 foot-candles

5.7.5 RESERVED

5.7.6 SECURITY LIGHTING

- A. Motion-activated security lights, unshielded flood and spotlights with 45 watts or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light trespass.
- B. All floodlights shall be installed such that the fixture shall be aimed down at least 45 degrees from vertical. Flood lights shall be positioned such that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way.
- C. All flood or spot lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- D. Landscape and decorative lighting using incandescent lighting of 40 watts or less is permitted, provided that the light is installed and aimed to prevent lighting build-up and light trespass and is shielded to prevent view from the public right-of-way.
- E. Area "dusk to dawn" open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are permitted. These lights must be full cutoff.

5.7.7 ILLUMINATION OF OUTDOOR SPORTS FIELDS AND PERFORMANCE AREAS

Lighting of outdoor sports fields and performance areas shall comply with the following standards:

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- A. **Glare Control Package:** All lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
 - B. **Hours of Illumination:** The hours of operation for the lighting system for any game or event shall not continue more than 1 hour after the end of the game or event.

5.7.8 PROHIBITED LIGHTING TYPES

- A. **Laser Source Light:** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- B. **Searchlights:** The operation of searchlights for advertising purposes is prohibited.
- C. **Flashing Lights:** With the exception of motion-activated security lighting, lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
- D. **Awning and Canopy Back-Lighting:** Awnings and canopies used for building accents over doors, windows, etc. shall not be uplit. Lighting that illuminates the sidewalk, or downlights onto the architectural features of a building, may be installed under canopies.

5.8 Fencing

The purpose and intent of this section is to establish minimum standards to regulate the location, **height**, and appearance of fences and walls to maintain visual harmony within **neighborhoods** and zoning districts throughout the City, protect **adjacent** properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

A. Applicability

This section applies to the **construction**, substantial reconstruction, or replacement of fences or walls not required for support of a principal or **accessory structure**, and to any other linear barrier intended to delineate different portions of a **lot**, within the City. Temporary fences for **construction sites**, sand fencing in beachfront areas, and **tree** protection fencing are exempt from the standards and requirements of this section.

B. Height

Fences and walls shall be subject to the following **height** limits:

1. Front or Street Side Setback: Four feet in height, with the following exceptions:
 - d. On T3 lots that front Ribaut Road, fences may be permitted to be 7 feet in height on the condition that such fences are set back from the front property line 1 foot for every 1 foot increase in height above 4 feet.
 - e. In the LI District, parcels fronting Primary Streets may have fences or walls up to 6 feet in height. Parcels fronting all other streets may be up to 10 feet in height.
 - f. Electric fences are not permitted to encroach into any front or street side setbacks.
2. Interior Side or Rear Setback (if side yard is not facing a street or a double frontage lot)
 - a. Transect-Based District: 6 feet in height if not facing a street,
 - b. Interior Side or Rear Setback of a Conventional District: 8 feet in height.
 - ~~2-6~~ Interior Side or Rear Setback of LI District: 10 feet in height.

-
3. Historic District: All fences shall be 4' in height or less along all setbacks.

C: Materials:

1. The support structures for fences, such as posts, shall be located on the inside of the fence.
2. The **gates**, posts, columns, and associated details of entry **gates** are allowed within the required setbacks along **streets** if they do not exceed six feet in **height** and are approved by the Codes Administrator in accordance with the requirements of this **Ordinance**.
3. All fences in the historic district shall be picket, cast iron, or wire fencing with vegetation.

D. Appearance:

Fences and walls visible from a **street right-of-way** shall be composed of a design, materials, and colors that are compatible with those of **buildings** and other elements of **development** on the site.

Chapter 5: Landscaping, Parking and Lighting

- REVISIONS -

Current revised working copy (based on
Jessie White's version) with discussed
changes (up to Section 5.3)

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As per last PC Work Session on
March 03, 2025

-

COPY WITH TRACKED CHANGES

5: LANDSCAPING, PARKING AND LIGHTING

5.1: ~~PURPOSE AND INTENT~~ LANDSCAPING AND TREE PROTECTION

5.1.1 PURPOSE ~~and Intent~~

The purpose ~~and intent~~ of this ~~code chapter ordinance article~~ is to regulate and protect a sustainable and healthy tree canopy throughout the City of Beaufort while promoting the benefits and advantages of retaining mature trees in our landscapes, parks, and streets. There are many benefits directly attributable to trees and the regulation of tree preservation is necessary for the preservation of public health, safety, general welfare, environment and aesthetics in the City of Beaufort. Great care should be taken to integrate new development into the existing landscape, and to preserve natural vegetation where possible.

~~Trees are multigenerational and, when properly care for, can live for many, many years. We are stewards, not owners, of these long lived entities even while they are growing on our private property. To live near trees is to accept some degree of risk.~~

~~Trees values increase exponentially as the tree ages. Trees, especially mature forests, are the cheapest, fastest, and most reliable form of carbon storage. Trees get increasingly better at doing this as they age. There are no carbon sequestration techniques currently known to work better than allowing trees to absorb carbon from the atmosphere.~~

~~Aside from their aesthetic appeal and the beautification of our communities and neighborhoods, trees provide a litany of benefits. Air quality, stormwater management, wind buffers, increased property values, and cooling effects to our homes and communities are just a few of their many benefits. We now also know through research that trees can benefit our physical and mental health. We have not only an environmental responsibility but also a social responsibility to preserve trees where possible.~~

Specifically, the standards in this section are meant to:

- Maintain the current and increase for future, the total tree canopy within the City limits;
- Preserve healthy, ~~mature~~ trees that might otherwise be removed through the required use of arborist reports and tree risk assessments;
- Lessen air pollution and promote clean air quality by increasing dust filtration;
- Prevent soil erosion;
- Improve surface drainage, minimize flooding, and minimize the cost of constructing and maintaining drainage systems necessitated by the increased flow and diversion of surface waters;
- Conserve energy by reducing heating and cooling costs;
- Reduce noise, heat, dust, and glare;
- Preserve biodiversity, wildlife habitat, and habitat corridors;
- Educate the public as to the importance of trees and the inherent risks that they pose and that most tree risks can be mitigated for;

- Beautify and enhance land and views from the ~~Town's~~ City's entryways, public lands, and streets;
- Preserve residents' quality of life and the natural heritage of the City; and
- Maintain the ambience of the City of Beaufort and enhance property values.

5.1.2 Definitions

(a) *Arborist Report*. A report compiled by an ISA ~~certified~~ Certified arborist ~~Arborist~~ containing pertinent information about the physical and structural health of the trees on a site.

(b) *Caliper*. The diameter of the trunk measured six (6) inches above the ground for trees up to and including four-inch diameter and measured twelve (12) inches above the ground for larger trees. This measurement is used for proposed or nursery-grown trees.

~~(c) Canopy.~~

~~(d) Certified Arborist~~. A person who has met the criteria for certification from the International Society of Arboriculture (ISA), maintains his or her credentials, and is a ~~full-time~~ employee of the company submitting the request for pruning or removal.

~~(e) Clearcutting~~. A forestry practice in which most of or all the trees in an area are uniformly cut down.

~~(f) Commercial Use~~. Any use of property for a principal use of operating a "business," as defined in Section ~~XXX-3.6 and 13.1~~ of the Beaufort Code, that may be operated for the object of gain ~~or benefit, or advantage by way of rental income.~~

~~(g) Developed Land~~. Land on which manmade structures exist or land modifications (clearing, grading, etc.) have occurred.

~~(h) Diameter at Breast Height (DBH)~~. The diameter in inches of the trunk of a tree, or, for multiple trunk trees, the aggregate diameters of multiple trunks, measured four and one-half (4½) feet from the existing grade at the base of the tree. This measurement is used for existing trees.

~~(i) Diseased~~. A severe disease or pest that is known to cause or is causing the death of a tree.

~~(j) Drip Line~~. An imaginary vertical line extending downward from the outermost tips of a tree's branches to the ground.

~~(k) Hazard~~. A likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.

~~(l) Hazardous tree~~. A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruption – that is, it poses an elevated risk.

~~(m) Elevated Risk~~. A tree, or any part of a tree, that poses a risk of harm to person or property due to damage, deterioration, or numerous hazards, and where such risk cannot be mitigated by any arboricultural procedures.

~~(n) Healthy Tree~~. A tree that is not dead, dying, diseased; is not at an elevated risk for failure; or is not an invasive tree.

~~(o) Impervious Surface~~. Solid surface that prevents aeration, infiltration, and water penetration, resulting in several harmful side effects.

~~(p) Invasive Species~~. Any non-native organism whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

~~(op) Official.~~ A member of ~~Town-City~~ staff designated by the ~~Town-City~~ Manager. ~~For purposes of this chapter, the Code Administrator or designee, unless otherwise stated.~~

~~(q) Overmature Tree.~~ A tree or stand that has passed the age of maturity where the rate of growth has diminished and the trees are weakened.

~~(pr) Overstory Tree.~~ A tree that, when mature, reaches a height of at least thirty-five (35) feet.

~~(qs) Pervious Surface.~~ A surface that allows water to percolate through to the area underneath rather than becoming runoff.

~~(rt) Replacement Planting.~~ Tree planting that is proposed as a replacement for a tree which has been cut down.

~~(su) Residential Lot of Record.~~ A lot existing prior to the adoption of this ordinance where single, two-, or three-family development is permitted.

~~(tv) Specimen and Landmark Trees.~~ ~~Certain trees, because of their species and size, are an asset to both the Town and the individual property owners and are designated as “specimen” and “landmark” trees. Specimen trees are valuable due to their age and potential to reach landmark size. Landmark trees are the most mature and valuable in the urban canopysee Section 5.3.1.A.~~

~~(uw) Tree Protection Zone.~~ The area reserved around a tree or group of trees in which no grading, access, stockpiling, or other construction activity shall occur, the extent of which will be determined by the proposed site design and existing site conditions. ~~See Section 5.3.3 for specific requirements.~~

~~(vx) Undeveloped Land.~~ Raw land on which manmade structures or land modifications (clearing, grading, etc.) do not exist.

~~(wy) Understory Tree.~~ A tree that, when mature, reaches a height of twelve (12) to thirty-five (35) feet and whose natural habitat is growing under larger, higher canopied trees.

~~(xz) Willful Violation.~~ A violation in which the landowner, developer, and/or operator knowingly failed to comply with the requirements of this section.

5.1.3 Certified Arborist Report

A. Requirements

~~The purpose of a Certified Arborist Report is to perform a visual ground assessment of all trees including Specimen and Landmark trees using the most current copy of certified Tree and Topo created by a Registered Surveyor.~~

~~Each tree will have a detailed visual ground inspection of its surrounding site, buttress roots, trunk and branches and an assessment of the tree’s general health. The information will be used to determine physical and structural health of the trees, as well as the likelihood of potential failures in each tree. This assessment protocol is based on a modified Level 2, Basic Tree Risk Assessment as outlined in ANSI A300 – Part 9: Tree, Shrub and Other Woody Plant Management – Standard Practices.~~

~~The Level 2 Basic Tree Risk Assessment is not the highest level of assessment available to arborists. Any trees that are required to be preserved on site which may need a higher level of assessment shall also be identified and any additional necessary recommendations given.~~

~~Recommendations will be given for performance and timing of maintenance procedures, such as crown pruning, root pruning and root fertilization, if deemed needed after soil testing; measures that should be performed on trees that are to be preserved on site.~~

~~This report also verifies a positive identification of all trees listed on the Tree and Topo.~~

B. Mitigation Pruning

Mitigation pruning is an important component of this report. All of the trees in each of the groupings, except for Category D, will have the potential to improve their standing on the site with the application of mitigation pruning.

This can generally consist of some combination of limb end weight reduction, deadwood and vine removal, the culling of understory plants, or other creative arboricultural methods to reduce some of the risks that trees present and allow more trees to be preserved on site.

C. Arborist Duty of Care

Arborists have a Duty of Care to the trees that they are assessing, not to the entity who might be financing the report. This Duty of Care takes into consideration hazards that may be found in the trees, potential targets, a trees inherent stability under normal weather conditions, static and dynamic loads and most importantly, what arboricultural procedures can be applied to reduce any of the risks or hazards that may be uncovered. The ultimate site goals and future intentions for these trees by the owner are never a component of the assessment.

D. Assessment Format

Each of the Specimen and Landmark trees on a site plan will be categorized into four different groups, designating each tree's individual condition based on both structural and physical health factors. In order to make the report more diverse and the tree cover more sustainable, any of the more valuable smaller trees are also suggested to be assessed and highlighted so that there will be more information on their status and thus may be able to remain in the landscape. Each condition grouping will be highlighted with a specific color on the site plan. These designating letters and grouping categories are as follows:

Category A) Highlighted in Green: A tree with no or slight defects and a low risk of failure. This tree is thriving for its species and location. It has little or no obvious faults or defects that would warrant a more detailed inspection. Some minor pruning may be needed including light reduction of end-weight growth and removal of deadwood. Tree longevity is open-ended and unrestricted. There is an improbable likelihood of limb or lead of total trunk failures occurring under normal weather conditions over the next 5 to 10 years. There may be no specific mitigation pruning recommended at this time.

Category B) Highlighted in Orange: A tree with moderate defects having a reasonable risk of failure. This tree is growing well for its species and location. It may have some minor, obvious faults and defects which would need to be aurally inspected. There may be a possible likelihood of limb or lead failures under normal weather conditions over the next 5 to 10 years. There is an improbable likelihood of total trunk failure over the next 5 to 10 years. These possible failures can, in most cases, be mitigated by prescription reduction or heading pruning procedures. These procedures can reduce the risk of failures to a level of risk that can be considered acceptable by most tree managers. There may be some other specific pruning needs such as crown raising, crown reduction, invasive vine severing, deadwood removal and Spanish moss reduction if present in large amounts, over and above the mitigation pruning recommendations.

Category C) Highlighted in Blue: A tree with severe defects and a high risk of failure. This tree is failing to thrive and may be in decline. It has obvious faults, defects, and hazards present that have a probable likelihood of causing limb, lead or trunk failures. Timely prescribed and above normal mitigation pruning may in some cases

reduce these hazards and risks of failures to a level that could be acceptable by some tree managers. If mitigation pruning is chosen, monthly inspections by the tree manager and annual inspections by a certified arborist are recommended.

Category D) Highlighted in Red: A tree with critical defects and an imminent risk of failure. This tree may already be dead or, if still alive, has severe critical defects and hazards with an imminent likelihood of limb, lead and total trunk failure. No amount of mitigation pruning could reduce any of the risks present to an acceptable level. Depending on occupancy rates of the areas adjacent to these trees, immediate or timely attention is called for.

D. Hazard vs Risk

In the wording of this report, please consider the correct use of the terms hazard and risk in accordance with ANSI A300 Part 9: Tree Shrub, and Other Woody Plant Management – Standard Practices (Tree Risk Assessment and Tree Structure Assessment).

A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruptions – that is, it poses a high or extreme risk.

Risk is the combination of the likelihood of an event and the severity of the potential consequences.

A hazard is a likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.

5.1.4 Recommended Trees and Shrubs

The following commonly found species of trees and evergreen shrubs are listed by category. The lists are not exhaustive and applicants are not required to select species found on these lists.

<u>BROAD-LEAVED OVERSTORY TREES</u>	
<u>American Beech</u>	<u>Fagus grandifolia</u>
<u>American Elm</u>	<u>Ulmus americana</u>
<u>American Sycamore</u>	<u>Platanus occidentalis</u>
<u>Ashleaf Maple</u>	<u>Acer negundo</u>
<u>Black Oak</u>	<u>Quercus velutina</u>
<u>Black Gum</u>	<u>Nyssa sylvatica</u>
<u>* Drake Elm (Everclear, Allee or Bosque)</u>	<u>Ulmus Parvifolia</u>
<u>Eastern Cottonwood</u>	<u>Populus deltoides</u>
<u>Honeylocust</u>	<u>Gleditsia triacanthos</u>
<u>* Cathedral Live Oak</u>	<u>Quercus virginiana 'Cathedral'</u>

<u>Laurel Oak</u>	<u>Quercus laurifolia</u>
<u>Live Oak</u>	<u>Quercus virginiana</u>
<u>* Overcup Oak</u>	<u>Quercus lyrata 'Highbeam'</u>
<u>Pecan</u>	<u>Carya illinoensis</u>
<u>Pignut Hickory</u>	<u>Carya glabra</u>
<u>Pumpkin Ash</u>	<u>Fraxinus profunda</u>
<u>*Pyramidal European Hornbeam</u>	<u>Carpinus betulus 'Fastigiata'</u>
<u>Red Maple</u>	<u>Acer rubrum</u>
<u>*Nuttall oak</u>	<u>Quercus nuttalli</u>
<u>Shumard Oak</u>	<u>Quercus shumardii</u>
<u>Southern Magnolia</u>	<u>Magnolia grandiflora</u>
<u>Southern Red Oak</u>	<u>Quercus falcata</u>
<u>Swamp Chestnut Oak</u>	<u>Quercus michauxii</u>
<u>Sweet Gum</u>	<u>Liquidamber styraciflua</u>
<u>*Trident Maple</u>	<u>Acer buergerianum 'Aeryn'</u>
<u>Water Tupelo</u>	<u>Nyssa aquatica</u>
<u>White Oak</u>	<u>Quercus alba</u>
<u>Willow Oak</u>	<u>Quercus phellos</u>
<u>*Starred trees are recommended for street tree plantings</u>	

<u>CONE-BEARING OVERSTORY TREES</u>	
<u>*Bald Cypress</u>	<u>Taxodium distichum</u>
<u>Loblolly Pine</u>	<u>Pinus taeda</u>
<u>Long Leaf Pine</u>	<u>Pinus palustris</u>
<u>Pond Cypress</u>	<u>Taxodium distichum nutans</u>
<u>Pond Pine</u>	<u>Pinus serotina</u>
<u>Slash Pine</u>	<u>Pinus elliottii</u>
<u>Short Leaf Pine</u>	<u>Pinus echinata</u>
<u>Spruce Pine</u>	<u>Pinus glabra</u>
<u>*Starred trees are recommended for street tree plantings</u>	

<u>UNDERSTORY TREES</u>	
<u>Allegheny Chinkapin</u>	<u>Castanea pumila</u>
<u>American Holly</u>	<u>Ilex opaca</u>
<u>American Plum</u>	<u>Prunus americana</u>
<u>Bigleaf Snowbell</u>	<u>Styrax grandifolia</u>
<u>Bitternut Hickory</u>	<u>Carya cordiformis</u>
<u>Black Cherry</u>	<u>Prunus serotina</u>
<u>Black Willow</u>	<u>Salix nigra</u>
<u>Blackjack Oak</u>	<u>Quercus marilandica</u>
<u>Bluejack Oak</u>	<u>Quercus incana</u>
<u>Buckthorn Bumelia</u>	<u>Bumelia lycioides</u>
<u>Cabbage Palmetto</u>	<u>Sabal palmetto</u>
<u>Carolina Ash</u>	<u>Fraxinus caroliniana</u>
<u>*Carolina Basswood</u>	<u>Tilia caroliniana</u>
<u>Carolina Buckthorn</u>	<u>Rhamus caroliniana</u>
<u>Carolina Laurelcherry</u>	<u>Prunus caroliniana</u>
<u>Carolina Silverbell</u>	<u>Halesia carolina</u>
<u>Chickasaw Plum</u>	<u>Prunus augustifolia</u>
<u>Coastal Plain Willow</u>	<u>Salix caroliniana</u>
<u>Common Hoptree</u>	<u>Ptelea trifoliata</u>
<u>Common Persimmon</u>	<u>Diospyros virginiana</u>
<u>Common Sweetleaf</u>	<u>Symplocus tinctoria</u>
<u>*Crepe Myrtle</u>	<u>Lagerstroemia indica</u>
<u>*Dahoon Holly</u>	<u>Ilex cassine</u>
<u>Eagleston (a.k.a. Foster) Holly</u>	<u>Ilex attenuata 'Eagleston' or 'Fosteri'</u>
<u>Eastern Coralbean</u>	<u>Erythrina herbacea</u>
<u>Eastern Redbud</u>	<u>Cercis canadensis</u>
<u>Eastern Red Cedar</u>	<u>Juniperus virginiana</u>
<u>Flatwoods Plum</u>	<u>Prunus umbellata</u>

<u>Florida Basswood</u>	<u>Tilia floridana</u>
<u>Florida Maple</u>	<u>Acer barbatum</u>
<u>Flowering Dogwood</u>	<u>Cornus florida</u>
<u>Fringetree</u>	<u>Chionanthus virginicus</u>
<u>Green Ash</u>	<u>Fraxinus pennsylvanica</u>
<u>*Hasse Magnolia (a.k.a. Alta)</u>	<u>Magnolia grandiflora 'Hasse' or 'Alta'</u>
<u>Hercules Club</u>	<u>Anthoxylum clava-herculis</u>
<u>Ironwood</u>	<u>Carpinus caroliniana</u>
<u>Littlehip Hawthorn</u>	<u>Crataegus spathulata</u>
<u>Loblolly Bay</u>	<u>Gordonia lasianthus</u>
<u>Mockernut Hickory</u>	<u>Caryatomentosa</u>
<u>Myrtle Oak</u>	<u>Quercus myrtifolia</u>
<u>*Oklahoma Redbud</u>	<u>Cercis reniformis 'Oklahoma'</u>
<u>Parsley Hawthorn</u>	<u>Crataegus marshallii</u>
<u>Pawpaw</u>	<u>Asimina triloba</u>
<u>Planer Tree</u>	<u>Planera aquatica</u>
<u>Possumhaw Holly</u>	<u>Ilex decidua</u>
<u>Post Oak</u>	<u>Quercus stellata</u>
<u>Red Buckeye</u>	<u>Aesculus pavia</u>
<u>Red Mulberry</u>	<u>Morus rubra</u>
<u>Redbay</u>	<u>Persea borbonia</u>
<u>River Birch</u>	<u>Betula nigra</u>
<u>Hickory</u>	<u>Carya pallida</u>
<u>*Sabal Palm</u>	<u>Sabal palmetto</u>
<u>Sassafras</u>	<u>Sassafras albidum</u>
<u>Sourwood</u>	<u>Oxydendrum arboreum</u>
<u>Southern Bayberry</u>	<u>Myrica cerifera</u>
<u>Southern Crab Apple</u>	<u>Malus angustifolia</u>
<u>Southern Red Cedar</u>	<u>Juniperis silicicola</u>
<u>Sparkleberry</u>	<u>Vaccinium arboreum</u>

Sugarberry	Celtis laevigata
Swamp Cotton wood	Populus heterophylla
Sweetbay	Magnolia virginiana
Tough Bumelia	Bumelia tenax
Turkey Oak	Quercus laevis
Water Hickory	Carya aquatica
Water Oak	Quercus nigra
Waterlocust	Gleditsia aquatica
Witch Hazel	Hamamelis virginiana
*Yaupon Holly, Weeping	Ilex vomitoria 'Pendula'
*Starred trees are recommended for street tree plantings	

SCREENING SHRUBS	
Sasanqua	Cammellia sasanqua
Yaupon Holly	Ilex vomitoria
Chinese Mahonia	Mahonia fortuneiw
Nandina	Nandina domestica
Pittosporum	Pittosporum tobira
Podocarpus	Podocarpus macrophyllus
Indian Hawthorne	Raphiolepis indica
Clevera	Ternstroemia gymnanthera
Laurestinus	Viburnum tinus
Japanese Viburnum	Viburnum macrophyllum
Elaeagnus	Elaeagnus pungens
So. Indica Azalea	Azalea indica
Burford Holly	Ilex cornuta "Burfordi"
Wax Myrtle	Myrica cerifera
Fatsia	Fatsia japonica
Florida Anise	Illicium floridanum
Pfizer Juniper	Juniperus chinensis "pfi tzeriana"

<u>Wax Leaf Ligustrum</u>	<u>Ligustrum japonicum</u>
<u>Oleander</u>	<u>Nerium oleander</u>
<u>Breath-of-Spring</u>	<u>Lonicera fragrantissima</u>
<u>Loropetalum</u>	<u>Loropetalum chinense</u>
<u>Juliana Barberry</u>	<u>Berberis julianae</u>
<u>Hedge Bamboo</u>	<u>Bambusa multiplex</u>
<u>Bay Laurel</u>	<u>Laurus nobilis</u>
<u>Banana Shrub</u>	<u>Michelia figo</u>
<u>Sweet Myrtle</u>	<u>Myrtus communis</u>
<u>*Starred trees are recommended for street tree plantings</u>	

5.1.5 Specific Best Practices

Pruning Trees less than 6" caliper shall not be limbed up from the ground more than 7 feet to the lowest branches. For trees 6" caliper and larger, the live crown ratio - ratio of tree canopy height to trunk height - shall be no less than 2:1 (Example: A 30' tall tree should have a canopy no less than 20' tall and an exposed trunk no greater than 10' tall.)

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This is for illustrative purposes only and may be changed from time to time. An excel template for this planting schedule, along with typical tree planting details, can be found on the Planning Department's website.

ADDITIONAL REFERENCES

Appendix A contains supplementary references to this section, including:

- ~~Certified arborist report requirements.~~
- ~~Recommended tree and shrub lists.~~
- ~~Sample tree saved/removed chart.~~
- ~~Applicable details.~~

5.2: APPLICABILITY AND ADMINISTRATION

5.2.1 APPLICABILITY

A. General

- (1) **Tree Preservation.** Consistent with the purpose of this section, priority shall be placed on retention of existing trees. All persons shall make all reasonable efforts to preserve and retain any existing ~~S~~specimen and ~~L~~landmark trees and established stands or groves of trees ~~which may serve as habitat corridors.~~
- (2) **Permit required for removal.** Except as exempted in 5.2.1.B. below, a Tree Permit shall be required to remove or relocate any tree of 8" DBH or more, or a ~~S~~specimen or ~~L~~landmark tree, in the City. See Section 5.2.2.A for specific requirements.
 - (a) For single family and 2- and 3-family buildings on existing lots of record, a permit is only required for the removal of ~~S~~specimen or ~~L~~landmark trees.
- (3) **Permit required for pruning.** A Tree Permit is required to prune any landmark tree as described in Table 5.3.1.A. Pruning must be done by, or under the guidance direct supervision of, a certified arborist and shall meet ANSI A300 Standards for pruning.
- (4) **Trees Designated for Retention.** A Tree Permit shall be required for the removal or relocation of any tree previously designated to be retained on an approved development plan.
- (5) **Enforcement.** Failure to comply with the standards of this section shall be a violation of this ordinance and subject to the remedies and penalties specified in Section ~~XXXX-12~~ of the Beaufort Code.

B. Exemptions

- (1) The following activities are exempt from the standards in this ordinance and the requirements for a Tree Permit:
 - a. Removal of severely damaged trees that have an imminent likelihood of failure or pose an immediate risk to person or property following a natural disaster such as a hurricane, tornado, ice or windstorm, flood, wildfire or any other such act of nature.
 - b. Tree removal associated with forestry activities shielded from local development regulation in accordance with S.C. Code Ann. 48-23-205, subject to the limitations on subsequent development in

Section 5.2.2.C. below. Forestry activities shall be regulated by a Forestry Management Plan approved by a certified South Carolina Forester.

c. Removal of plant species designated as invasive by the South Carolina Forestry Commission, including, but not limited to the following:

i. Chinese Tallow (*Triadica sebifera*), Chinaberry Tree (*Melia azedarach*), Callery Pear (*Pyrus calleryana*), Camphor Tree (*Cinnamomum camphora*), Princess tree (*Paulownia tomentosa*)

(2) No Tree Permit is required where the proposed tree removal or alteration is reviewed and authorized in accordance with an approved Site Development Permit or Building Permit, though compliance with the standards in this section is required.

(3) Residential Lots of Record, as defined ~~herein~~ in Sec. 5.1.2, are exempt from the replacement planting and mitigation requirements of Section 5.5.2.C. Replacement planting and mitigation for tree removals in conjunction with development of these properties shall be regulated by Section 5.5.2.F. below. All other requirements of this ordinance shall apply to such uses.

Commented [CK1]: At the PC Worksession on 03-03-25 it was general consensus to discuss this again at a later time.

A. **Applicability:** The standards in Sections 5.3—5.6 of this article shall apply as outlined in the table below.

DEVELOPMENT CONDITION	APPLICABILITY
New Construction	
All new construction (except construction of single-family and 2- and 3-family dwellings on existing lots of record prior to the adoption of this Code).	All standards apply unless noted otherwise.
Single-family and 2- and 3-family dwellings on existing lots of record	Compliance with this article is not required except for 5.3.1 – Minimum tree coverage must be met. 5.4.1 – A permit is required for any Specimen or Landmark tree to be removed.
Parking Area Expansion	
Expansion of less than 50% of total existing parking area.	All standards apply to the parking lot expansion areas only.
Expansion of more than 50% of total existing parking area or 12 spaces or more, or any expansion in conjunction with new construction/addition to a building.	All standards apply to the entire parking lot areas.
Building Expansion/Reconstruction	
Expansion of less than 50% of existing floor area.	All standards apply within the area around the building addition extending to the

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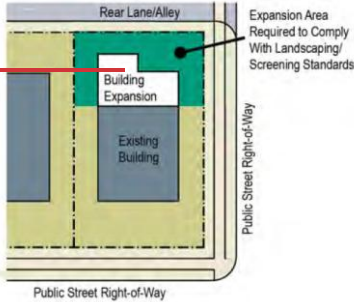
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Existing Development	
Building interior and/or exterior renovation only, less than \$25,000.	Compliance with this article is not required.
Building interior and/or exterior renovation only — \$25,000 or greater.	All perimeter landscaping standards of Section 5.4 apply.

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5.2.2 ADMINISTRATION

Application Procedure. No Project Permit shall be issued, nor any development be commenced, for any site subject to the requirements of this article without an approved plan for all site elements including landscaping, lighting, and parking, as part of a greater development design review process as outlined in Article 9 (Development Review Procedures).

A. Tree Protection Information in Applications

(1) New Development

(a) Applications for a Major Subdivision, Site ~~Development Permit~~Plan, Zoning & Building Permit or Commercial Building PermitCertificate of Occupancy shall include at least the following information:

- (i) A ~~complete~~ Tree Survey verified by a certified arborist, as described in subsection 5.2.2.A.3. below;
- (ii) A brief written narrative of proposed plans for tree protection and justification for proposed removals and replacements, verified by a certified arborist;
- (iii) A complete tree tally sheet listing exact species and diameter of trees on site;
- (iv) For a ~~Major Subdivision~~Site ~~Development Permit~~Plan, a ~~complete~~ site development plan showing utility lines, grading activities, ~~and as well as~~ building ~~and pavement~~ footprints (~~pervious and impervious surfaces~~) in relation to existing trees and denoting trees to be removed with an "X"; and
- (v) A replacement tree replanting schedule, if required by Sections 5.3.2.G and 5.5.2 below.

(b) Applications for a Residential Building (~~Project~~) Permit shall include at least the following:

- (i) A ~~complete~~ Tree Survey;

(ii) A certified arborist report including all ~~specimen-Specimen~~ and ~~landmark-Landmark~~ trees; and

(iii) A ~~complete~~ site plan showing utility lines ~~and as well as~~ building ~~and pavement~~ footprints (~~pervious and impervious surfaces~~) in relation to existing trees and denoting trees to be removed with an "X."

(2) Existing Development. Applications for pruning or removal of trees on individual developed lots shall include a tree survey and a report from a certified arborist. An exception is granted on developed single-, two-, and three-family lots wherein a ~~report-scope of work~~ from a certified arborist is only required for removal of a ~~specimen-Specimen~~ or ~~landmark-Landmark~~ tree and pruning of a landmark tree. A tree survey shall never be required on developed single-, two-, and three-family lots.

(3) Tree Survey. The tree survey shall be in the form of a map or site plan, prepared and sealed by a registered land surveyor within two years of the date of application. The tree survey shall be at the same scale as the required site development plan and shall include the species and DBH of all trees 8" DBH or greater.

(i) All palmetto trees over eight (8) feet tall shall be measured in height, from the ground to the base of the frond initiation point.

B. Authorization for Tree Removal.

(1) Permit Required. No person shall cause, suffer, permit or allow the following:

(a) The removal of a tree 8" DBH or greater or Specimen or Landmark Tree without first obtaining written authorization, to include all necessary permit(s), from the City to conduct the removal.

(b) Any encroachments, excavations, or change of the natural grade within the critical root zone (CRZ) of a protected tree, unless approved by the Codes Administrator, prior to the commencement of said activity, that the activity will not negatively impact the tree. The critical root zone area shall be defined as the greater of either:

(i) The area extending from the trunk of the tree to the outer-most point of the canopy or drip line; or,

(ii) All of the area starting at the trunk and extending to a distance of one (1) foot for each inch in diameter the trunk measures at four and one-half (4 1/2) feet above ground level.

(2) Criteria. No authorization for the removal of any tree 8" DBH or greater or any Specimen or Landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions in writing:

(a) Health. Whether or not the tree is dead, dying, or diseased according to a certified arborist report and verified by the City Official or designee.

(b) Elevated Risk. Whether or not the tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.

(c) Developability. Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.

(3) Permit Decision. Upon review of a completed application, the Codes Administrator shall approve, approve with conditions, or deny the permit.

(a) The applicant shall be notified of approval or denial, and if denied, informed of the reasons for denial.

(b) Permits may be issued conditionally, provided that the conditions are stated in writing and are appropriately referenced on the permit. Among such conditions may be stipulations that the developer of a site provide legal mechanisms which ensure the protection of Specimen and Landmark Trees after construction has occurred on the development. such mechanisms may include, but not be limited to, conservation easements, common open space requirements, vegetation or tree protection easements or buffers, deed restrictions and restrictions in homeowners' or condominium association documents.

(c) In the event questions or disputes arise concerning tree conditions, the City may call upon and consult with a certified arborist or other qualified professional to reach a decision. All appeals of staff decisions, and other form of administrative relief sought as a result of the application of these standards, shall be the purview of the Zoning Board of Appeals.

(4) Timing. The official shall be notified ~~48 hours~~ within five (5) business days prior to tree removal approved ~~under~~ as part of a Site Development Plan.

(5) Permit posting. A copy of the approved tree permit shall be clearly posted on the job site during all phases of clearing and construction activities.

C. Pre-Development Standards. Trees shall be marked with color ribbons, using blue ribbons to mark trees to be preserved, red ribbons for trees to be removed, and orange ribbons for elevated risk trees that are proposed to be removed (elevated risk trees will not count towards the overall required tree replacement). In heavily wooded areas, the official may allow large groups of trees to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of trees.

D. Penalty for Clear Cutting Prior to Development. Nothing in this section shall be construed as to prevent the practice of forestry, as exempted from local development regulation by S.C. Code Ann. § 48-23-205. Forestry practiced in the City shall be accompanied by a Forestry Management Plan that has been approved by a certified South Carolina Forester.

(1) Two Year Deferral. Prior to approval, if the developer removes any portion of the trees that would have been protected by this section pursuant to a development application, the application shall be deferred for a period of two (2) years after completion of the removal, and the mitigation and replanting requirements of this ordinance shall apply.

(2) Five Year Deferral. If the landowner, developer, and/or operator does not have a Forestry Management Plan, the work was not completed according to the Plan, or transfer of property occurs following the completion of the work, it shall be considered a willful violation of City ordinances and an application for a development permit on any portion of the property will be deferred for five (5) years, and the mitigation and replanting requirements of this ordinance shall apply.

E. Tree Protection and Restoration Plan (TPRP).

(1) A TPRP shall be submitted along with all other materials required at the time of application for ~~p~~Preliminary ~~p~~lat review of a Major Subdivision, ~~Planned Development, Tract Home Development, Multi-Family Development, Townhome Development, or Duplex Development~~Site Plan or when submitting for a Zoning & Building Permit or Certificate of Occupancy. The TPRP shall comply with the requirements of Section 5.3.3 and include the following:

(a) A tree survey, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

Commented [CK2]: At the PC Worksession on 03-03-2025 Bill Bardenwerper offered to entirely rewrite this paragraph.

(b) A **graphic representation** of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

(c) **Notes** specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and,

(d) **Mitigation/replanting.** A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

(e) **Maintenance plan.** All Specimen and Landmark Trees shall be maintained in conformance with the following:

(i) Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.

(ii) During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a ~~s~~Specimen or ~~L~~Landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.

(2) All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

F. Landscaping Installation and Guarantee:

- (1)** No certificate of occupancy for any development on a site subject to the requirements of this article shall be issued until all landscaping materials are in place according to the approved plan, or a cash performance guarantee is posted with the administrator for 125% of the cost of the uncompleted landscaping, including labor, as determined by the administrator. The cost estimate shall be prepared by a qualified landscape contractor using prevailing material and labor costs.
- (2)** The life of the guarantee shall not exceed ~~42-24~~ months. If the approved landscaping, including ground cover if applicable, is not properly installed within 12 months of the certificate of occupancy, the guarantee shall be forfeited to and used by the city to complete the approved landscaping, with any remaining funds returned to the person who posted the guarantee.
- (3)** A maintenance guarantee (for permitted types of guarantees, see Section 7.1.5) equal to 20% of the cost of all required landscaping, including labor, as determined by the administrator based on a cost estimate prepared by a ~~qualified-licensed~~ landscape contractor using prevailing labor and costs, shall be held for a period of ~~4-two~~ **(2)** years following completion of landscape installation.

- (4) The maintenance guarantee shall be returned only where the landscaping has been surveyed by the city and determined to be in good health. Where any portion of the required landscaping is dead, dying, or significantly declining, the landowner shall be responsible for its replacement prior to release of the guarantee. Where replacement landscaping is required, and such landscaping exceeds 25% of the required project landscaping, the maintenance bond shall be held one additional year to ensure successful installation of the replacement landscaping.

GF. Enforcement. Enforcement of this Section shall follow the requirements of Article 12 of this Code.

5.3: TREE PLANTING AND PROTECTION

5.3.1 SPECIMEN AND LANDMARK TREES

- A. Preservation of Specimen and Landmark Trees. Priority shall be placed on tree preservation and all persons shall make all reasonable efforts to preserve and retain existing ~~s~~Specimen and ~~l~~Landmark trees.
- B. **Designation of Specimen and Landmark Trees:** Certain trees, because of their species and size, are an asset to both the City and individual property owners and are hereby designated as "~~specimen~~Specimen" and "~~landmark~~Landmark" trees. Such trees shall be defined as those trees with a DBH equal to or greater than that indicated in the following table:

SPECIES	COMMON NAME	SPECIMEN TREE (MIN. DBH)*	LANDMARK TREE (MIN. DBH)*
<i>Cornus florida</i>	Flowering Dogwood	4 inches	18 inches
<i>Cercis canadensis</i>	Redbud	4 inches	18 inches
<i>Magnolia grandiflora</i>	Southern Magnolia	4 inches	24 inches
<i>Ilex opaca</i>	American Holly	4 inches	14 inches
<i>Juniperus virginiana</i>	Eastern Red Cedar	12 inches	24 inches
<i>Quercus virginiana</i>	Live Oak	12 inches	24 inches
<i>Sabal palmetto</i>	Cabbage Palm	18 feet tall	36 feet tall
<i>Taxodium distichum</i>	Bald Cypress	16 inches	24 inches
<i>Quercus velutina</i>	Eastern Black Oak	16 inches	24 inches
<i>Nyssa sylvatica</i>	Tupelo/Black Gum	16 inches	24 inches
<i>Quercus alba</i>	White Oak	16 inches	24 inches
<i>Quercus falcata</i>	Southern Red Oak	16 inches	24 inches
<i>Acer rubrum</i>	Red Maple	16 inches	24 inches
<i>Ulmus americana</i>	American Elm	16 inches	24 inches
<i>Pinus palustris</i>	Longleaf Pine	16 inches	24inches
<i>Fagus grandifolia</i>	American Beech	16 inches	24inches
<i>Quercus stellata</i>	Post Oak	24 inches	-
<i>Carya illinoensis</i>	Pecan	24 inches	-
<i>Carya ovata</i>	Hickory	24 inches	-
<i>Liquidambar styraciflua</i>	Sweet Gum	24 inches	-
<i>Quercus laurifolia</i>	Laurel Oak	24 inches	-
<i>Acer pseudoplatanus</i>	Sycamore	24 inches	-

- 5: LANDSCAPING, PARKING AND LIGHTING
5.3: TREE PLANTING AND PROTECTION

<i>Aliud pini</i>	All other pines	24 inches	-
* DBH = diameter at breast height (or about 4.5 feet above grade)			

B.

5.3.2 TREE COVERAGE REQUIREMENTS

A. Applicability and Standards: In addition to the standards laid out in this section and Section 7.2, land or property shall maintain a minimum baseline canopy coverage area as detailed in this Section. .

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~~4. Priority shall be placed on the retention of existing specimen and landmark trees.~~

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~~5. Authorization for Tree Removal: No authorization for the removal of a specimen or landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions:~~

~~i. Health. Whether or not the tree is dead, dying, or diseased according to a certified arborist report and/or staff evaluation.~~

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~~ii. Elevated Risk. Whether or not the tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.~~

~~iii. Developability. Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.~~

~~6. Timing. The official shall be notified 48 hours prior to tree removal approved under a Site Development P.~~

B. Tree Protection With Development: Developers shall avoid any activity during all phases of construction that may result in:

- (1) Mechanical injuries to roots, trunk, and branches
- (2) Injuries by chemical poisoning
- (3) Injuries by grade changes
- (4) Injuries by excavations
- (5) Injuries by paving.
- (6) Any willful action determined to be inconsistent with this standard, and which results in the injury of a ~~specimen~~Specimen or ~~landmark~~Landmark tree, shall constitute a violation of these regulations.
- (7) Upon completion of construction, or as otherwise approved, the fencing and other measures may be removed to allow for landscaping and final site work, provided all work is either conducted with hand tools, or with machinery utilized in a manner appropriate to protect against soil compaction and other damage to root systems.

~~E. A Tree Protection and Restoration Plan (TPRP) shall be submitted along with all other materials required at the time of application for preliminary plat review of a Major Subdivision, Planned Development, Tract Home Development, Multi Family Development, Townhome Development, or Duplex Development. The TPRP shall include the following:~~

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1. All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

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a. A tree survey, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

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b. A graphic representation of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

c. Notes specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and,

d. A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

F.E. Protective Fencing: The owner shall be responsible for the erection of required protection fencing, and any other specified measures, necessary to protect any existing or installed vegetation prior to the commencement of disturbance activity. At a minimum, all trees proposed to be preserved during development shall be protected with a sturdy and visible fence before clearing and grading begins. The following standards shall apply:

1. The location of tree protection fencing and method of construction shall be noted on the landscape plan.
2. Tree protection fencing shall be installed and remain in place and in good condition until all development activities are completed.
3. The tree protection fence shall be located one (1) foot from the tree trunk for each one (1) inch in Tree Diameter Breast Height (DBH) with a minimum distance of ten (10) feet required from the edge of the trunk
4. Tree protection fencing shall be constructed from any material substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the development process.
5. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment is allowed in the tree and root protection area(s) of trees to be retained.

G.F. Tree Replacement: The following standards shall apply to all required tree replacements:

1. Replacement species shall be the same species as each tree removed, provided the removed tree was a native species; all other replacement trees must be listed on the City's approved tree list.
2. Replacement formula: one (1) square foot of replacement canopy (measured at maturity) for one (1) square foot of canopy removed.
3. Single trees may be replaced with two (2) or more trees provided the caliper inch requirements measured at DBH are met.
4. Replacement trees shall be planted within any part of the development site or on City property with staff consultation and approval.
5. If it is determined that a site cannot sustainably support all or a portion of the required tree replacement pursuant to Section 5.5.2.B, then a fee based on the mitigation schedules in Sections 5.5.2.B. or 5.5.2.C shall be paid to the City for the purposes of tree planting and maintenance.

H. Tree Maintenance Plan: All Specimen and Landmark Trees shall be maintained in conformance with the following:

- ~~1. Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.~~
- ~~2. During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a specimen or landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.~~

- I. **Infrastructure:** Utility companies, governmental agencies, and city agencies in the course of constructing or maintaining easements or rights-of-way for water, sewage, electricity, gas, drainage, telephone, or television, if the applicable company or agency, within 12 months after the date of adoption of this Code, has executed an agreement with the city that:
 1. Recognizes the need to minimize trimming of hardwood overstory trees that do not significantly interfere with the intended purpose of construction or maintenance.
 2. Establishes, to the extent practicable, design guidelines for construction and maintenance that identify the saving of hardwood overstory trees as a factor to be considered in the design process.
 3. Establishes guidelines to avoid limbing, topping, or severe pruning of trees whenever reasonably practicable, and where it is unavoidable, according to ANSI A300 Standards, which may include tree removal.
 4. Provides for a consultation process with the city prior to the commencement of major construction or maintenance or the removal of any ~~specimen~~ Specimen or ~~landmark~~ Landmark tree.
- J. **Waiver for Emergency:** In the event that a tree poses a threat to public safety due to death, disease, or damage resulting from events including, but not limited to fires, floods, hurricanes, other natural disasters, intentional harm, or negligence, the administrator may waive the requirements of Section 5.4.1. As soon as it is feasible after the waiver, the administrator shall issue written findings outlining the threat to public safety that prompted the waiver. The administrator may require that the owner of the site replace the tree when the findings conclude that the removal was necessitated by intentional harm or negligence.
- K. **Normal Tree Maintenance:** Nothing in this Code shall restrict normal tree maintenance by a property owner (including removal of dead wood and branches or limbs that endanger life or property) for any tree except landmark trees upon which any pruning must be done according to Section 5.4.1 A.2.

L. Canopy Standards

All development proposed subsequent to the adoption of section, with the exception of those activities specifically listed herein, shall be subject to the following standards. In the event any proposed development is subject to a zoning district requirement(s) that conflicts with one or more standards contained in this section, the zoning requirement shall govern.

1. **Exemptions:** The following development and activities shall be exempt from the requirements of this section:

- a. Removal and/or trimming of any tree not identified by these standards as a **Landmark or Specimen Tree** located on single-family dwelling lots or parcels by the owner.
 - b. Mitigation efforts associated with clean-up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of **waiver** of the strict application of these standards for a specified period of time.
 - c. Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general **public** in the ordinary course of business.
 - d. Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.
2. **Required Canopy Coverage for Development:** All proposed non-residential, multi-family residential, and mixed-use development, units anticipated to have a land disturbance area greater than five thousand (5,000) square feet, or to have shared parking and, shall be subject to the minimum canopy coverage area requirements listed in the Minimum Canopy Coverage Requirements table below. Any single-family residential development consisting of two or less lots (existing single family lots of record are exempt), or existing single family or duplex lots of record, are exempt from the required canopy coverage for development requirements.

Minimum Canopy Coverage requirements	Existing Canopy Percentage
*Residential Developments (Excepting Simple Lot and Minor Subdivisions)	25%
Commercial Developments	30%
T-5 UC Transect only	15%
Encroachments	The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or landmark-Landmark or specimen -tree, or the tree protection zone of any such tree.
Parking Reduction	The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8 b, including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a specimen-Specimen or landmark-Landmark tree.

Fenestration/Transparency	Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T-5 UC district.
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3. **Canopy Coverage For Development Calculation:** For the purposes of this section, the canopy coverage area of a tree shall be defined as the area contained within the boundary established by a vertical projection along the outermost limit of the tree's crown at maturity. The canopy area cannot include any wetland or required drainage area within its calculation. The canopy coverage area of a parcel or development site shall be defined as the total of all non-conifer tree canopy areas, retained and/or planted, proposed to exist post - development. The following methods may be used to determine the tree canopy area:

a. **To Establish Existing Tree Canopy Area**

For each **mature tree** proposed to be retained post – development, the radius (r) of the canopy area shall equal the distance from the center of the trunk to the outermost point of the tree's crown. Calculate the total canopy area (CA) with the following formula: $CA = \pi r^2$. In the event existing site conditions are accurately reflected on aerial photography, the radius (r) may be determined through scaled measurements.

b. **To Establish Tree Canopy Area for Trees Proposed to be Planted**

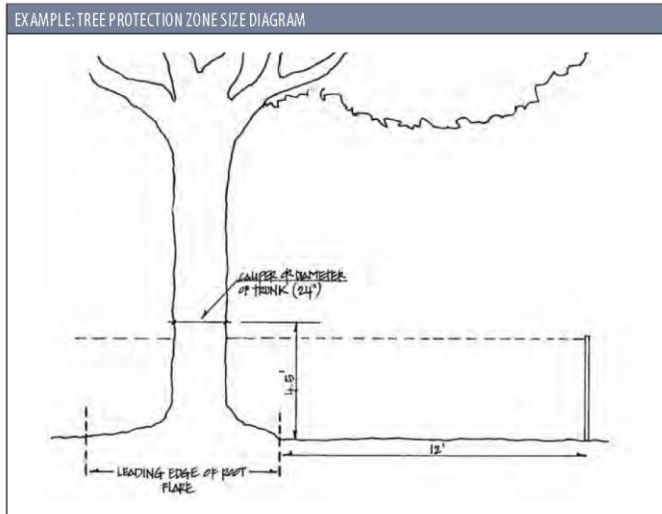
To determine the canopy area proposed to be planted, the radius (r) of each species of tree to be utilized, at twenty (20) years maturity, shall be determined based on accepted industry standards, and the total canopy area (CA) calculated ($CA = \pi r^2$).

c. **Alternative Methods**

The Codes Administrator may approve other methods of calculation or sources of information, provided such alternatives are based on accepted industry practices, and utilize the best available information.

5.3.3 TREE ROOT PROTECTION ZONE (TPZ) REQUIREMENTS

- A. **Applicability:** A permanent "tree protection zone" (TPZ) surrounding preserved trees shall be established to protect the underground root system. This area shall not be disturbed at any time before, during, or after construction.
- B. **Size and Shape:** The minimum TPZ shall be as follows:
1. A circle with a radius of ½ foot per 1 inch of DBH, ideally measured from the leading edge of the root flare.



2. The TPZ shall be indicated on both site and landscape plans for all trees shown to remain.

C. **Adjustments and Exceptions:**

1. The size and shape of the TPZ may be adjusted where any of the following occur: root pruning, root invigoration, restoring the natural grade of the soil, W.A.N.E. feeder, porous paving materials, and/or a tree well.
2. The size and shape of the TPZ may be adjusted as needed to accommodate construction practices. The reduction of minimum radius of TPZ may require additional remediation measures as recommended and performed by a certified arborist prior to site disturbance.

- D. **Tree Wells:** In general, tree wells are discouraged, but if they are used, a well shall encompass at least half the area beneath the canopy of the tree and extend in every direction, no less than halfway from the trunk to the tree's dripline. Tree root aeration system shall be installed that shall extend from 2 feet inside the tree well wall to the dripline of the canopy.

- E. **Pre-Construction Treatment:** Based on the certified arborist report, the following may be required to retain trees and facilitate their health during and after the construction process: root pruning, fertilization, and root invigoration. These practices, as applicable, shall be performed a minimum of 3 months prior to site disturbance.

- F. **Prohibited Activities:** The following are prohibited within all TPZs:

1. Placement of building materials, dirt, debris, oils, paints, or any other materials, equipment, or vehicles.
2. Irrigation pipe installation.
3. Grading, with the exception of a 2-inch cut or 2-inch fill of topsoil, sod, or mulch.
4. Paving for roadways, driveways, or sidewalks.
5. Cutting of roots for installation of utilities or drain pipe of any kind.

6. **Exception:** If excavation work for water line installation within a TPZ is deemed necessary during construction operations, such excavation shall be accomplished utilizing hand excavation methods that remove soil around tree roots without severing them.

- H. **Damages and Repairs:** When encroachment or construction activity within a TPZ has damaged or destroyed a tree or tree growing site, the city, at the discretion of the Administrator, may seek mitigation for the value of any damaged trees within a TPZ, per the Mitigation Schedule in Section 5.6.3, and/or may require treatments or additional plantings. Such mitigation shall occur prior to the issuance of a Certificate of Occupancy.

5.3.4 STREET TREE PLANTING REQUIREMENTS

Street tree planting requirements are established in Section 7.2.5.

5.4: PERIMETER LANDSCAPING AND SCREENING

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Buffers that are required for protection of environmentally-sensitive areas are prescribed by Section 8.1 (Resource Protection Standards).

5.4.1 BUFFER REQUIREMENTS

Landscaped perimeter buffers shall be preserved or established along the front of the sites located within Conventional Districts, and along the side and rear boundary lines along all districts as indicated in the following chart. The buffers are based upon the parcel's zoning district and the District the parcel abuts. Where the buffer requirements in this table are in conflict with the corridor buffer requirements in Section 5.4.1 B., the greater buffer width and/or plantings shall apply.

REQUIRED BUFFER WIDTH AND PLANTING				
District of Proposed Development	*Abutting Use or District	Minimum Width for Side and Rear Buffers	Front Buffer Planting Requirements	Side and Rear Buffer Planting Requirements
LI (Industrial)	All Districts (except LI)	25 ft min.	None, except along the corridors listed in Section 5.4.1 B.	See Section 5.4.1 A.
RMX (Regional Mixed Use)	All Transect-Based Districts, any county residential district	15 ft min.		
All Other Conventional Districts	All Transect-Based Districts, any county residential district	5 ft min.		
T4-N & T5-UC	T3, T4-HN, any county residential district	5 ft min	None - street trees may be required depending on	Same requirements as Section 5.6.8 A.

			street section designation in Appendix C.	
T4-NA	T3, any county residential zoning district	Use-dependant - See Section 3.9	None	Same requirements as Section 5.6.8 A.
<i>* If the parcel is abutting another district other than the district listed in the chart, no buffers are required.</i>				

- A. **Side and Rear Buffer Planting Requirements:** At least 3 broad-leaved overstory tree shall be preserved or planted in, or in close proximity to, each side and rear buffer for every 100 linear feet of buffer or portion thereof.

1. **Exceptions:**

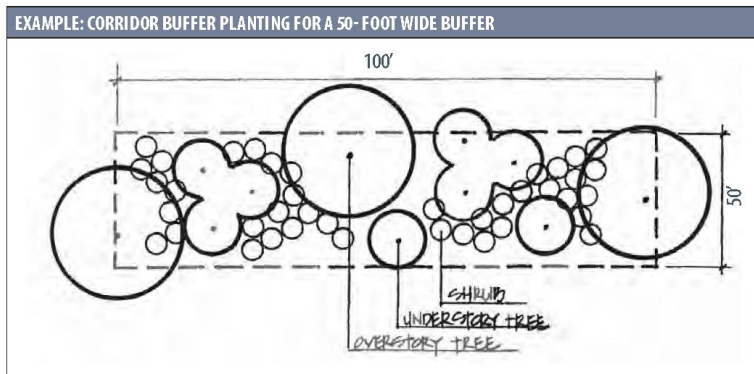
- If site conditions are inappropriate for an overstory tree, see Section 5.6.1 K.
- Three existing Cone-Bearing overstory trees (see Appendix A) may be counted to meet the requirements for one broad-leaved overstory tree.
- Specific to Fuel Sales/Car Wash Facilities:** On any property line where fuel pumps are not screened by a building, 3 additional broad-leaved overstory trees, or 6 understory trees, shall be required for every 100 linear feet of frontage or portion thereof. See Section 4.5.12 for additional design standards for these building types.
- If a rear alley or connection to an adjacent parcel is provided, the administrator may reduce or waive buffer requirements to accommodate adequate connections.

- B. **Corridor Buffers:** In addition to the Conventional District buffer requirements above, buffers shall be provided along all parcel boundaries that abut the major thoroughfares established in the following table.

CORRIDOR BUFFER REQUIREMENTS - FRONT BUFFER WIDTH AND PLANTING				
Location	Required Buffer Width	Number of Trees/Shrubs Required per 100 ft of Frontage		% of Buffer Area
		Broad-Leaved Overstory Trees	Understory Trees	Shrubs
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Broad River Bridge	50 ft min.	3	8	25% coverage
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Boundary Street Redevelopment District	20 ft min.	3	6	25% coverage

Parris Island Gateway (US 21)	20 ft min.	3	6	25% coverage
Sams Point Road (SC 802)	20 ft min.	3	6	25% coverage
Trask Parkway (US 21 northwest of Parris Island Gateway)	15 ft min.	3	6	25% coverage

The administrator may waive or alter these requirements based on the design of the building and how it addresses the street.



- C. **Maintenance of Required Plantings:** Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the front buffer, except in accordance with standard horticultural practice, or as required at driveway sight triangles. See Appendix A for more information on best practices for pruning. See Section 5.4.1 A.2. for pruning permit requirements.

D. **Existing Vegetation**

1. If a buffer area has existing trees, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this Ordinance. Where groupings of native shrubs are present, their preservation with minimum disturbance is required. Any clearing or other work in buffers must have the prior approval of the Codes Administrator.
2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with Section 5.2 A 7 during development activity.
3. Existing vegetation that is preserved shall not be limbed up from the ground more than five feet to the lowest branches, except
 - a. Vegetation at intersections may be limbed up to a greater height to ensure compliance with Sight Triangles; and
 - b. If understory planting is proposed, the Official may allow existing vegetation to be limbed up to a height that will provide adequate sunlight to plants.
4. The removal of invasive species shall be allowed with an approved replanting plan, if needed.

E. Buffer Materials

At the time of planting, overstory and understory trees included as part of required buffers shall be no less than 2.5 caliper inches; evergreen shrubs shall be at least three feet in height above ground level. All buffer plantings must be native species of plants,

F. Development Within Required Buffers: Development is prohibited within required buffers except in accordance with this subsection. The following activities may occur in required buffers, unless expressly prohibited elsewhere in this Ordinance:

a. Street or driveway access, provided it runs approximately perpendicular to/from the adjacent street right-of-way or common property line.

b. Walkways, pathways, trails, benches, bike racks, and other elements associated with passive recreation or the provision of continuous pedestrian and bicycle connections between adjoining properties, provided all landscaping as required by this Section is provided and the Codes Administrator determines that installation or maintenance of such elements will minimize impacts on to required vegetation to the maximum extent.

c. Lighting fixtures.

d. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.

e. Signage, lighting fixtures, and street furniture.

f. Fountains, plazas, sculptures, and similar features that are part of publicly owned facilities, where approved by the Codes Administrator.

g. Service and utility lines and minor facilities (e.g. water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage lines, utility boxes and pedestals), subject to the following standards:

i. Such lines generally shall run approximately perpendicular to/from the adjacent street right-of-way or common property line. If they must be installed approximately parallel to the street right-of-way or property line, the easement for the lines may be included as part of a required buffer if the easement allows the vegetation or structures necessary to meet buffer screening requirements and provides the requisite visual separation in a manner that is aesthetically acceptable; otherwise, additional buffer width shall be required to provide the space needed for the required buffer screening.

ii. Permission for easement and right-of-way disturbance and clearings for such utility and service lines and facilities shall be more favorably considered when such activity is consolidated with vehicular access routes.

5.4.2 BUILDING PERIMETER LANDSCAPING (FOUNDATION BEDS)

A. **Applicability:** The following provisions for building perimeter landscaping (i.e., foundation beds) shall apply to all buildings in the RMX and IC Districts, except single-family and two-family dwellings.

B. **Requirements:**

FOUNDATION BED REQUIREMENTS BY BUILDING HEIGHT			
Building Height	Minimum Width	Minimum Length (as percentage of building)	Vegetation Coverage ¹ (as percentage of foundation bed)

		Front	Side/Rear	Front	Side/Rear
1 Story	5 ft	67%	50%	67%	50%
≥ 2 Stories	8 ft	67%	50%	67%	50%
¹ Trees, shrubs, flowers, or other plant materials may be used to satisfy vegetation coverage requirements. % of coverage is at maturity — see Section 5.5.1 D.3.					

1. **Edges:** All building perimeter landscape areas shall be protected from overhanging vehicles by curbs or wheel stops.
2. **Sidewalks and Handicap Ramps:** Depending on the building design and orientation, sidewalks and handicap ramps may be placed within the designated building perimeter landscape area. In these instances, the administrator may require that some or all of the required foundation planting are mitigated elsewhere on the site.
3. **Pedestrian Coverings:** If awnings, colonnades, arcades or galleries are incorporated into the building design, landscaping may be reduced or eliminated.

5.5: LANDSCAPE INSTALLATION AND MAINTENANCE

5.5.1 GENERAL REQUIREMENTS

- A. Trees planted shall be botanically compatible with local conditions, healthy, and disease-and pest-free. Plant materials shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" (ASNS).
- B. Irrigation shall be required in all new development unless the Administrator specifically waives this requirement, based on the unique character of the development and/or the nature of the proposed plant material.
 1. **Exception:** New construction in T3 zones, and single-family residential construction in T4 zones on new or existing lots, is not required to have irrigation.
- C. Landscaping shall be maintained in good condition and shall be kept free from refuse and debris.
- D. Installed trees must adhere to the grades and standards outlined in the ASNS. The minimum size at installation of all trees and shrubs planted pursuant to the requirements of this Code is as follows:
 1. **Overstory trees:** 2.5 caliper inches (measured at 6 inches above grade).
 2. **Understory trees:** 8 feet high.
 3. **Shrubs:** Shrubs must be reasonably projected to grow to maturity (i.e., to meet specific size or coverage requirements) within 3 years, unless otherwise specified herein.
- E. Existing healthy shrubs and trees may be used to satisfy any requirements of this Code, provided they meet the minimum size requirements outlined in Section 5.5.1 D.
- F. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rain water, is encouraged. Preservation of groupings of trees (e.g., tree save areas) is encouraged and generally favored over preservation of scattered individual trees.

- G. Where understory trees are specified, preserved, or planted, broad-leaved overstory trees may be substituted on a one-to-one basis to satisfy the requirement.
- H. In conjunction with any development, grass or ground cover shall be planted, or mulch installed to a depth of 3 inches, on all portions of exposed bare ground not otherwise developed or landscaped. This shall include planting strips and other areas within rights-of-way that are contiguous to the development site. Grass and/or ground covers shall provide 75% coverage within 1 calendar year from the time of planting. Gravel or crushed shell may be approved as an acceptable ground cover if it is coordinated with the overall site and landscape design; however they shall not be used as a substitute for organic mulch in plant beds. The use of dyed hardwood or synthetic material is prohibited.
- I. All earthen drainage structures with a maximum gradient of 3:1 may be hydroseeded or sodded. Ditch and pond banks with slopes greater than 3:1 shall be treated with erosion control fabric or matting and/or receive erosion resistant landscaping materials such as ground covers or wetland plant species.
- J. Landscaping shall not obstruct the view of motorists using any road or driveway.
- K. Where site conditions are inappropriate for an overstory tree, due to existing utilities, building design, or other conflicts either above or below ground, up to 2 understory trees may be substituted for 1 overstory tree.
- L. Severe trimming, pruning, or other maintenance that results in significant alteration of the natural shape of a tree or modification of the central leader (including "lollipoping," "heading," or similar techniques) is prohibited, except in conjunction with public utility maintenance.

5.5.2 REPLACEMENT PLANTING AND MITIGATION

- A. **Applicability:**
 - 1. Where the administrator approves removal of trees for new development.
 - 2. Where any vegetation, existing or proposed, used to comply with the requirements of this section, does not survive in a healthy condition.
 - 3. When a tree protected under this ordinance is removed from a property without permission from the administrator, is significantly damaged during construction, or significantly declines and is recommended for removal by a certified arborist at the end of the two-year maintenance guarantee period.
- B. **Replacement Planting and Mitigation:** The tree mitigation fee is established to allow tree planting elsewhere in the City in cases where the requirements for retention of existing trees cannot be achieved. Where a certified arborist determines that a site cannot sustainably support all, or a portion of, the required replacement, due to the size and shape and/or structures and/or viable site constraints, a fee based on the mitigation schedules in subsections 5.5.2.C. or 5.5.2.F. below shall be paid to the City for the purposes of tree planting and maintenance.
- C. **Replacement and Mitigation Schedule:** With the exception of Residential Lots of Record, replacement plantings & mitigation shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$500	100%	\$500

Specimen Tree*	100%*	\$250	100%*	\$250
All other trees 8-inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and the mitigation cost per caliper inch to be doubled.				
Examples				
Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (12 inches x \$250/inch) if the site cannot support the replacement.				
Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$15,000 (30 inches x \$500/inch) if the site cannot support the replacement.				

(1) **Timing of Fee Payment.** All required tree mitigation fees shall be paid prior to issuance of a Site Development Permit or Building Permit.

(2) **Tree Replacement Fund.** The City shall establish and maintain a separate accounting fund for the deposit of tree mitigation fees paid in lieu of providing required replacement trees. Such funds need not be segregated from other City monies for banking purposes. Any yield on such accounting fund shall accrue to that fund and shall only be spent on trees on publicly owned and maintained property.

Qualifying debits include the cost of trees, installation of trees, and maintenance of trees.

D. The provisions of this section shall apply to all projects, regardless of the date the Site Development Permit or development approval was issued.

E. Exemption. Any ~~specimen~~ Specimen or ~~landmark~~ Landmark tree that fails due to a natural catastrophe shall be exempt from the requirements of this section.

F. Replacement and Mitigation Schedule for Residential Lots of Record. Replacement plantings and mitigation on Residential Lots of Record shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$100	100%	\$100
Specimen Tree*	100%*	\$50	100%*	\$50
All other trees 8-inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and the mitigation cost per caliper inch to be doubled.				

Commented [JW3]: I understand council wants single family exempt but wanted to provide what it could look like if the City were to follow Port Royal which is proposing reduced fees with this type of development

Examples				
Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$600 (12 inches x \$50/inch) if the site cannot support the replacement.				
Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (30 inches x \$100/inch) if the site cannot support the replacement.				

5.6: PARKING

5.6.1 PURPOSE

The purpose of this section is to regulate and ensure the provision of adequate parking and access for bicycles and motor vehicles. The section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the community.

5.6.2 APPLICABILITY

The parking standards of this section shall apply to new developments and when a structural alteration in an existing building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity.

5.6.3 BICYCLE PARKING

- A. **Applicability:** Bicycle parking is required everywhere except in the T3 zoning district, in T4 districts in detached single-family residential developments, and in the LI district. In the T5 district, the administrator has the authority to waive the bicycle parking requirement if it is not appropriate or feasible.
- B. **Location and Configuration:** Bicycle parking shall be placed in a usable and accessible location. The rack(s) shall be placed so that neither the rack nor the bike within it blocks pedestrian or vehicular access ways and shall be maintained and kept clean and in proper working order at all times.
- C. **Size:** Developments shall provide either racks for 5% of the number of required off-street vehicular parking spaces or 2 bicycle parking spaces, whichever is greater. Spaces shall be a minimum of 2 feet by 6 feet.

5.6.4 PARKING SPACE REQUIREMENTS

- A. **Minimum Number of Parking Spaces:** The number of motor vehicle parking spaces required shall be determined by the table below. Uses not listed in the following chart shall use the parking requirement for the most similar use, as determined by the administrator.

USE	MINIMUM NUMBER OF MOTOR VEHICLE PARKING SPACES REQUIRED
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	CONVENTIONAL DISTRICTS	TRANSECT-BASED DISTRICTS
RESIDENTIAL		
Single-Family, and Short-Term Rental	2 per unit	
2- and 3-Family, Multi-Family and Accessory Units		
Studio	1 per unit	
1 Bedroom	1 per unit	
2 Bedrooms	1.75 per unit	
3+ Bedrooms	2 per unit	
Dwelling units located within mixed-use buildings	No spaces required	
Group Homes	1 per 3 bedrooms	
RETAIL		
Gas Stations/Fuel Sales	1 per employee, plus requirements for retail and/or service bays	1 per 400 gross square feet
Restaurant, Cafe, Coffee Shop, Bar, Tavern and Nightclub	1 per 4 seats,* plus 1 per every 2 employees (at max. shift, typical) *Only interior seats are counted unless the business only has exterior seating.	1 per 400 gross square feet
Drive-Through Facilities	1 per 4 seats* plus 1 per every 2 employees *Only interior seats are counted unless the business only has exterior seating.	1 per 400 gross square feet
All Other Retail Uses	1 per 300 gross square feet	1 per 400 gross square feet
RECREATION, EDUCATION, PUBLIC ASSEMBLY		
Colleges and Universities	1 per 4 students at capacity class attendance	
Community/Public Safety Facilities	1 per 300 gross square feet	1 per 400 gross square feet
Schools, Public or Private		
Grades K-8	2 per classroom	1 per 400 gross square feet
Grades 9-12 or Trade	1 per 4 students and employees	1 per 400 gross square feet
Theaters	1 per 4 seats, plus 1 per 2 employees	1 per 400 gross square feet
All Other Assembly Uses		
With Fixed Seats	1 per 5 seats	1 per 400 gross square feet

Without Fixed Seats	1 per 300 gross square feet	1 per 400 gross square feet
SERVICES		
Day Care (Child or Adult) - 5 or greater	1 per 10 persons cared for (child or adult)	1 per 400 gross square feet
Lodging	1 per room, plus spaces required for on-site accessory uses	1 per 2 rooms
Medical		
Doctor's Offices	1 per 300 gross square feet	1 per 400 gross square feet
Other	1 per 2 beds, plus 1 per staff, plus 1 per 4 employees	1 per 400 gross square feet
All Other Service Uses	1 per 300 gross square feet	1 per 400 gross square feet
INDUSTRIAL	No minimum number of spaces	

B. Credits for On-Street Parking:

1. On-street parking spaces along the lot frontage may count toward the minimum number of required parking spaces if needed.
2. For multi-family dwellings over 3 units, and for commercial buildings over 4,000 square feet, adjacent existing on-street parking within 400 feet from the property line may be used to count toward the on-site parking requirement if needed.
3. Where on-street parking does not exist, additional on-street parking spaces meeting City standards (see Appendix C) may be constructed to fulfill all or part of the on-site parking requirement. This must be approved by the Technical Review Committee and any outside agencies, as appropriate.
4. On a block face where formalized on-street parking is available, single-family and 2-family dwellings, and nonresidential uses with less than 4,000 square feet of space, and any structure listed as "Contributing" on the "1997 Beaufort County Above Ground Historic Resources Survey," or most recent historic survey, shall be exempt from these off-street parking requirements.

C. Maximum Number of Parking Spaces: The maximum number of off-street parking spaces shall be as follows:

1. For buildings with a footprint less than or equal to 60,000 gross square feet, no more than 140% of the required minimum number of parking spaces are permitted.
2. For buildings with a footprint greater than 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted.
3. **Exceptions:**
 - a. Parcels in the LI district are exempt from these requirements.
 - b. Parcels in the Boundary Street Redevelopment District are exempt from these requirements. See Section 2.7.3 E. for requirements in this overlay district.
 - c. Group Housing or Multi-Family buildings built specifically to accommodate student housing are permitted a maximum of 1 parking space per bedroom, plus an additional 125% for guest parking.

d. Uses within the IC district.

D. **Off Site Parking:** Required parking may be provided off site if the following standards are met:

1. Required parking may be provided in off-street parking facilities on another property within 250 feet of the site proposed for development, as measured along street rights-of-way. Parking further than 400 feet may be approved by the Administrator if it is in conjunction with a plan to provide access to the lot (e.g., shuttle service).
2. In any transect-based district, required parking may not be located along a major thoroughfare without being screened from the street by buildings.
3. Pedestrian access between the use or the site and the off-premise parking area shall be via a continuous sidewalk or walkway, not separated by a street.
4. The owner shall provide a written parking agreement reflecting the arrangement with the other site.

5.6.5 PARKING EXCEPTIONS

- A. In the T5-DC District, all nonresidential uses, except for motels/hotels/extended stay guest accommodations, shall be exempt from the off-street parking requirements of this section. Where such uses elect to provide off-street parking, it shall meet the design requirements of this section.
- B. Any structure being reoccupied that is listed on the city's "Vacant and Abandoned Structures" list shall be exempt from these off-street parking requirements if on-site parking cannot be accommodated.
- C. In the Boundary Street Redevelopment District, see Section 2.7.3 E. for parking requirements.

5.6.6 SHARED PARKING AND PARKING REDUCTIONS

- A. **Shared Parking—Two Uses:** When 2 use types share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the 2 uses separately, divided by the factor listed in the table below.

SHARED PARKING FACTOR FOR TWO USES				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

EXAMPLE: A mixed-use building that typically requires 10 residential spots and 20 retail spots may be reduced as follows: $(10+20) / 1.2 = 25$ spots. This is a 5-spot reduction due to the shared parking factor.

- B. **Shared Parking—Three or More Uses:** When 3 or more use types share common parking facilities, or if a use type is not listed in Table 5.7.4.A, the amount of required parking may be reduced as appropriate in accordance with Section 5.7.6 C. below.
- C. **Parking Reductions:**
 1. The Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:

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- a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use — for the entire development to justify the shared use of parking spaces for separate uses.
 - b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Section 5.7.4.
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.
 2. The Administrator shall consider the following in determining whether a reduction is warranted:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand.
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow.
 - c. The impact of periodic overflows upon the public streets and other parking facilities.
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.
 3. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

5.6.7 PARKING LOT DESIGN

A. **General Design Standards:**

1. **Design:** Parking stalls shall be located in areas that will not require backing into access driveways or streets, except where allowed for residences, or when no other practical alternative exists, as determined by the administrator.
 - a. **Parking Stall Dimensions:** Off-street parking spaces shall be at least 9 feet wide by 18 feet long, exclusive of access or maneuvering spaces. Up to 20% of compact car spaces, a minimum of 8 feet wide by 15 feet deep, are permitted.
 - b. **Travel Lane Dimensions:** Travel lanes shall not exceed 24 feet wide for 2-way traffic, except in specific areas that may require additional room for truck access. A minimum of 20 feet clear between parking spaces shall be provided for 2-way traffic. One-way traffic may be permitted to have travel lanes width reduced to 16 feet if approved by the fire marshal.
2. **No Storage:** Minimum parking areas shall be kept free of material storage, including portable containers, and outdoor display/sales, except on a temporary basis as part of an approved Temporary Use (see Section 3.13).
3. **Maintenance:** Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, and potholes.
4. **Identified as to Purpose and Location:** Off-street parking areas with 4 or more spaces, and off-street loading areas, shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces from aisle and other circulation features.

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5. **Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, grass, or other vegetative surfacing. Such parking lots shall delineate parking spaces with a wheel stop or vegetative buffer.
 6. **Front Yard Parking:** Where Section 7.2.3 (Lot Access Standards) permits driveways, they may be used for front yard parking areas, but the width of such front yard parking areas shall be limited to the driveway width specified in that section.
 7. **Shopping Cart Storage:** Up to 4 spaces for shopping cart storage may be provided. Any additional spaces shall count towards the maximum number of parking spaces, if applicable.
- B. **Pedestrian Corridors in Parking Lots:** Parking lots with 40 spaces or greater shall be designed to separate pedestrian travel from vehicles. They shall include designated pedestrian walkways to provide safe access to building entries for pedestrians.
1. Perimeter sidewalks — typically located on public rights-of-way— and/or interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.
 2. Pedestrian pathways (if provided) shall be a minimum 5 feet in width.
 3. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway shall be provided, following the shortest practical route across the parking lot between at least 1 such entrance on each side of the building facing a public street.
 4. Pedestrian pathways shall be clearly delineated. This may be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.
- C. **Connectivity:**
1. Wherever feasible, adjoining parking lots (except those serving residential buildings of less than 4 units) shall be interconnected, or designed to interconnect in the future.
 2. Where a parking lot connection is provided, an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Beaufort County Register of Deeds.
 3. When parking lots are connected, one of more of the following incentives may be utilized, at the discretion of the applicant:
 - a. The side or rear setback adjacent to the connection may be reduced to 5 feet.
 - b. An additional 10% of parking spaces over the 140% maximum may be provided.
 - c. Impervious surface may be increased by 5%.
- D. **Materials:**
1. Parking spaces and driveways shall be paved with a material that supports the anticipated load and context. Pervious or semi-pervious paving materials are encouraged. Where possible, such materials shall be used in combination with on-site stormwater control devices.
 2. Parking provided above the minimum required parking spaces shall be with a pervious material.
- E. **Accessible Parking:** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).
- F. **Tandem Parking and Residential Driveways:** See Section 7.2.3 D.2.b.

5.6.8 PARKING LOT SCREENING AND LANDSCAPING

- A. **Screening:** All parking areas shall be screened from the public right-of-way or primary vehicular access point(s) — if the parking area does not front a public right-of-way — with evergreen shrubs, walls, fences, or some combination thereof. Screening is not required at areas designated for signage, or pedestrian or vehicle access points. Screening devices shall be installed at the height and opacity specified in the table below:

LOCATION	MINIMUM REQUIRED OPACITY AT PLANTING ¹	SHRUBS		WALL/FENCE
		Installation Height ³	Projected Height within 4 Years	Installation Height ²
Beaufort Historic District Overlay	90%	3 ft	4 ft	4 ft
All Other Areas	50%	2 ft	4 ft	4 ft

¹ The area bounded by the shrub at its projected size in 3 years shall be deemed to be practically 100% opaque.

² Height is measured from adjacent sidewalk, street or curb grade, whichever is higher.

B. **Landscaping:**

1. **Applicability:** This applies in all Conventional Districts except LI, and all T4 and T5 districts where the parcel is greater than 2 acres. In T4 and T5 districts where the parcel is less than 2 acres, all parking requirements listed below are applied as “should” rather than “shall.”
2. **Priority:** In parking lot design, priority should be given to working around existing trees, and then secondarily creating areas where new plantings would be required.
3. **Landscaped Peninsulas and Medians Shall be Established as Follows:**
 - a. **Size:** Landscaped peninsulas with a plantable area of at least 12 feet wide by 18 feet long area shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
 - b. **Planting:** At least 1 broad-leaved overstory tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. See Appendix A for recommended plantings list.
 - c. **Specific to Transect Zones:** No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula, except in the following circumstances:
 - i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped, or
 - ii. There is a landscaped median meeting the requirements in 5.7.8.B.3.d.iii and iv.
 - d. **Specific to Conventional Zones:**
 - i. No more than 10 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula.

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- ii. On the interior of parking lots, landscaped medians between all head-to-head” rows of parking are required.
 - iii. Where wheel stops are to be used for the protection of landscaped medians, the minimum median width shall be 6 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, and shrubs that have a mature height and spread of 4 feet or less.
 - iv. Where wheel stops are not used for the protection of landscaped medians the minimum median width shall be 9 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, understory trees and/or shrubs which have a mature height and spread of 5 feet or less.
 - v. Shrub coverage in the medians and peninsulas shall be at least 50%.

5.6.9 STRUCTURED PARKING

See Section 4.5.11.

5.6.10 PARKING OF SPECIFIC VEHICLES

- A. **Parking, Storage or Use of Campers or Other Major Recreation Equipment:**
 - 1. No major recreational equipment shall be parked or stored in any T3 or T4 district in a manner which poses a nuisance, or constitutes a hazard. When parked in a permanent location, such equipment shall observe all setbacks, yard, and other requirements set forth within the districts in which they are located.
 - 2. Parking or storage of recreational equipment shall not be permitted in any district between the street and the building face. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in any location not approved for such uses.
- B. **Vehicles Without License Plates:** Any vehicle or trailer of any kind requiring licenses, but without current plates, shall not be parked other than in completely enclosed buildings.
- C. **Commercial Vehicles:**
 - 1. Trucks, tractors, or tractor-trailers having a capacity of more than a 8,000 pound load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in a T3 or T4-HN district for purposes other than unloading, loading, or delivery services.
 - 2. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (1 per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this section.

5.7: LIGHTING

5.7.1 PURPOSE

The standards set forth in this section are designed to:

- A. Ensure that all site lighting is designed and installed to maintain adequate lighting levels on-site;

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- B. Prevent excessive light spillage and glare directed at adjacent properties, neighboring areas, and motorists; and
 - C. Provide security for people and land.

5.7.2 APPLICABILITY

The provisions of this article shall apply to all development with the following exemptions:

- A. All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Code.
- B. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
- C. Individual residential lighting that is not part of a site plan, street section, or outdoor lighting plan for any other common or public area, provided that it does not extend past the boundaries of that property. Security lighting on residential property must comply with Section 5.8.6.
- D. Lighting associated with landscape/holiday/festive/temporary uses.
- E. Lighting of public art that has been permitted or otherwise approved by the city.
- F. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare.
- G. All fixtures installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets.
- H. Lighting of U.S. Flags, provided the flag standard does not exceed the maximum permitted building height for that district.

5.7.3 GENERAL STANDARDS FOR EXTERIOR LIGHTING

- A. **Hours of Illumination:** Public and institutional uses, commercial uses, and industrial uses (heavy and light) that are adjacent to existing residential development or vacant land in the RMX, T1, T3-E, T3-S, and T3-N Districts shall turn off all exterior lighting by 10:00 p.m. or within 1 hour of closing, whichever occurs first, with the following exception:
 - 1. Lighting that is necessary for security or emergency purposes – meaning the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas-may be turned on at all times. Additional standards for security lighting are in Section 5.8.6 (Security Lighting).
- B. **Illumination Direction:** In all districts, lighting shall be directed downward. In addition, upwardly directed lighting shall not be used to illuminate structures, except for low-wattage architectural lighting.

5.7.4 DESIGN STANDARDS FOR EXTERIOR LIGHTING

- A. **Maximum Lighting Height:** For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the top of the light post, not including the fixture.
 - 1. In pedestrian oriented areas, the height of the light post shall not exceed 15 feet above grade.

2. In auto-centric areas, such as parking lots which support shopping centers, large retailers, or manufacturing sites, etc., the height of the light post shall not exceed 30 feet above grade.
 3. Wherever possible, outdoor seating areas, building entrances, and walkways shall be illuminated using ground mounted fixtures not more than 4 feet tall.
 4. In historic districts, light poles exceeding 15 feet above grade must be approved by the Historic Review Board.
- B. **Shielding:** Light fixtures in excess of 1,800 lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project site onto adjacent lands and streets.
- C. **Maximum Illuminance Levels:** Requirements in the following table shall apply only to light trespass into parcels in T3 and T4 zoning districts at the property line.

TYPE OF USE	MAXIMUM ILLUMINANCE AT PROPERTY LINE
Agricultural, Residential, Day Care-Child or Adult, Community Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities	0.5 foot-candles
Retail, Recreation, Education, Public Assembly (except Community-Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities), and Services (except Day Care-Child or Adult)	2.5 foot-candles
Industrial and Transportation, Communications, Infrastructure	2.5 foot-candles
Vehicular Use Areas (Note: Minimum illuminance level at the edge of the vehicle use area shall be 0.2 foot-candles.)	2.5 foot-candles

5.7.5 RESERVED

5.7.6 SECURITY LIGHTING

- A. Motion-activated security lights, unshielded flood and spotlights with 45 watts or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light trespass.
- B. All floodlights shall be installed such that the fixture shall be aimed down at least 45 degrees from vertical. Flood lights shall be positioned such that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way.
- C. All flood or spot lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- D. Landscape and decorative lighting using incandescent lighting of 40 watts or less is permitted, provided that the light is installed and aimed to prevent lighting build-up and light trespass and is shielded to prevent view from the public right-of-way.

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- E. Area “dusk to dawn” open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are permitted. These lights must be full cutoff.

5.7.7 ILLUMINATION OF OUTDOOR SPORTS FIELDS AND PERFORMANCE AREAS

Lighting of outdoor sports fields and performance areas shall comply with the following standards:

- A. **Glare Control Package:** All lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
- B. **Hours of Illumination:** The hours of operation for the lighting system for any game or event shall not continue more than 1 hour after the end of the game or event.

5.7.8 PROHIBITED LIGHTING TYPES

- A. **Laser Source Light:** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- B. **Searchlights:** The operation of searchlights for advertising purposes is prohibited.
- C. **Flashing Lights:** With the exception of motion-activated security lighting, lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
- D. **Awning and Canopy Back-Lighting:** Awnings and canopies used for building accents over doors, windows, etc. shall not be uplit. Lighting that illuminates the sidewalk, or downlights onto the architectural features of a building, may be installed under canopies.

5.8 Fencing

The purpose and intent of this section is to establish minimum standards to regulate the location, **height**, and appearance of fences and walls to maintain visual harmony within **neighborhoods** and zoning districts throughout the City, protect **adjacent** properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

A. Applicability

This section applies to the **construction**, substantial reconstruction, or replacement of fences or walls not required for support of a principal or **accessory structure**, and to any other linear barrier intended to delineate different portions of a **lot**, within the City. Temporary fences for **construction sites**, sand fencing in beachfront areas, and **tree** protection fencing are exempt from the standards and requirements of this section.

B. Height

Fences and walls shall be subject to the following **height** limits:

1. Front or Street Side Setback: Four feet in height, with the following exceptions:
 - d. On T3 lots that front Ribaut Road, fences may be permitted to be 7 feet in height on the condition that such fences are set back from the front property line 1 foot for every 1 foot increase in height above 4 feet.
 - e. In the LI District, parcels fronting Primary Streets may have fences or walls up to 6 feet in height. Parcels fronting all other streets may be up to 10 feet in height.
 - f. Electric fences are not permitted to encroach into any front or street side setbacks.

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2. Interior Side or Rear Setback (if side yard is not facing a street or a double frontage lot)
 - a. Transect-Based District: 6 feet in height if not facing a street,
 - b. Interior Side or Rear Setback of a Conventional District: 8 feet in height.
~~3-6.~~ Interior Side or Rear Setback of LI District: 10 feet in height.
 3. Historic District: All fences shall be 4' in height or less along all setbacks.

C: Materials:

1. The support structures for fences, such as posts, shall be located on the inside of the fence.
2. The **gates**, posts, columns, and associated details of entry **gates** are allowed within the required setbacks along **streets** if they do not exceed six feet in **height** and are approved by the Codes Administrator in accordance with the requirements of this **Ordinance**.
3. All fences in the historic district shall be picket, cast iron, or wire fencing with vegetation.

D. Appearance:

Fences and walls visible from a **street right-of-way** shall be composed of a design, materials, and colors that are compatible with those of **buildings** and other elements of **development** on the site.